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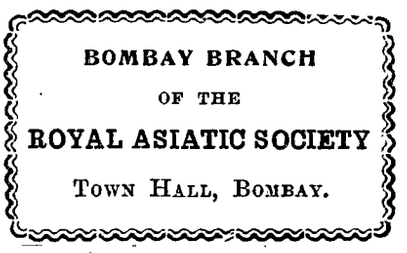

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Historical Collections

The Fourth and Last Part.

IN TWO VOLUMES.

Volume the First.

CONTAINING THE

PRINCIPAL MATTERS

Which Happened

From the Beginning of the Year 1645, to the Death of King CHARLES the First 1648.

Wherein is a PARTICULAR ACCOUNT of the Progress of the CIVIL WAR to that PERIOD,

IMPARTIALLY RELATED.

Setting forth only **Matter of Fact** in **Order of Time**, without **Observation** or **Reflection.**

By JOHN RUSHWORTH, late of *Lincolns-Inn*, Esq;

Fitted for the Press in his Life-time.

TT 615

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PREFACE

To the *Fourth Part* of *Hiſtorical Collections.*

THE *good Reception that Mr.* Ruſhworth's *former Volumes met with, gives the Publiſhers ground to think that theſe two laſt will fare no worſe; his Method is the ſame, his Materials as good, and the like continued Thread of Impartiality runs through the whole. The Period of Time, of which theſe two Volumes contain the Hiſtory, was one of the moſt remarkable for Tranſactions Eccleſiaſtical, Civil and Military, that ever this Nation ſaw; and the account of thoſe Tranſactions here exhibited, is more large, more particular, and more authentick, than any thing on that ſubject which hath yet appeared in publick. Our Author tells us in the beginning of this fourth part,* "*That the province he had undertaken,* "*was to conſign to Poſterity overt-acts, without either judging of their* "*qualities, or diving after the ſecret Reaſons of them, in aſſigning which,* "*Authors many times relate their own Conceits, rather than the true Mo-* "*tives which induced the Actors to ſuch Revolutions. Therefore we are not to wonder, nor to look upon our ſelves as diſappointed when we find him thus ſparing of his Reflexions and Conjectures. This want (if it may be properly call'd by that name in an impartial Hiſtorian) is ſufficiently made up by our Author's diligence in collecting the publick Papers and Debates on all ſides, and his faithfulneſs in giving true Tranſcripts of them. As this is the faireſt way of conveying Hiſtory to Poſterity, it is alſo one of the beſt helps a Reader can have, either to make juſt Reflexions, or to dive into the Cauſes of action.*

As to the Nature of the following Collections, they conſiſt not only of many valuable things printed in thoſe times, that are now only to be found in the Cloſets of the curious, but alſo of many important Papers that were never hitherto publiſhed, which Mr. Ruſhworth's *poſt, as Secretary to Sir* Thomas Fairfax, *gave him the opportunity of having* and inſerting in his Collections. *Beſides ſuch Papers, there are many remarkable Circumſtances, relating to Battels and Sieges, that the publick know little or nothing of, which are here related at large. The like is to be ſaid as to many Debates in the Armies, Parliament, Treaties, and other publick Tranſactions in the three Nations; of which our Author many times gives us the accounts of both Parties, from perſons who moved in the higheſt Spheres, and had the greateſt concern in the things related.*

The diligence of our Author is demonſtrable from the bulk of his Col- [illegible]*, and the multitude of things that are hardly to be found any where* [illegible]*; his faithfulneſs and integrity are ſufficiently apparent, by the concurring teſtimonies of the Memorials of others, which have been publiſhed about the affairs of thoſe times: And who ever will give himſelf the trouble to peruſe what Mr.* May *hath writ in his Hiſtory of the Long Parliament, Mr.* Whitlock *and the Lord* Hollis *in their Memoirs, will find the moſt material Tranſactions as related in this Collection to be vouch'd by them, the two laſt having had a large ſhare in many of the moſt important affairs they write of. And tho' the Lord* Hollis, *his Memoirs appear to ſome to have more of the nature of a Philippick, and declamation, full of reſentments againſt ſome perſons and things, than of an Hiſtorical Relation of matters, yet they are the more to be valued, in regard they give great light into many conſiderable actions; that noble Lord making ſuch a figure then, and being imploy'd in the management of the greateſt affairs of the times, could not but be well inform'd, and have opportunities of knowing and diſ-*

covering moſt of the ſecret Springs of Reſolutions and Actions, beſides ling in with thoſe of the moderate Party, who in all Controverſies are moſt in the right, and fitteſt to be relyed upon, cannot be ſo liable to be ſuſpected of partiality as the high flown Cavalier, or hot-headed Commonwealth-man. His Lordſhip was for reforming Abuſes, and reſtraining the Regal Power, not for overturning the old Engliſh Conſtitution, which made him an Enemy to thoſe who followed the contrary extreams, and prompted him to make ſuch ſmart and ſevere reflections upon them, and their bold and unjuſtifiable deviations from their Engagements and their Duty, which being a man of Honour, Spirit, and Integrity, he could not brook. Upon this account it may juſtly be ſaid, that the beſt way to arrive at a true knowledge of the Hiſtory of that Period, is to joyn the Lord Hollis's *Memoirs with thoſe laſt two Volumes of* Ruſhworth's *Collections: The latter giving a juſt view of the Actions of thoſe times, and the former the ſecret Cauſes and Springs of them.*

We come now to give a more particular account of the following Volumes, and a ſhort view of that Thread of Hiſtory *which runs through the whole work, which is not ſo obvious to every eye, becauſe a multiplicity of Papers, Debates, Reſolutions, Letters, &c. interrupt or at leaſt perplex the ſeries, by diverting the thoughts and attention of ordinary Readers. This was judged ſo much the more neceſſary, becauſe the defect could not be ſupply'd by an Alphabetical* Table, *which only directs to particulars without any order of time.*

Chap. I. *The* FIRST VOLUME *Commences with the accompliſhment of the Deſign of new-modelling the Army, and of paſſing of the* ſelf-denying Ordinance. *This quite alter'd the Scene, and put the Adminiſtration of Military Affairs into new hands. In proceſs of time it brought forth likewiſe a new-modelling of the Parliament, and at laſt their total diſſolution. The ſtanding Army, which from time to time they were induced by ſpecious reaſons to continue, became their Maſters at long run, and were neither ſo tender of invading the Priviledges of Parliament, as the Houſes were of Diſbanding them; the reſult whereof was the Subverſion of the Government. The Debates in Parliament about new-modelling the Army, are entertaining and uſeful; the ſtate of the King's affairs and his ſtrength, as alſo that of the Parliament at that time, make the great Changes that afterwards happened ſo much the more obſervable. Cromwell's deſtrous management to bring this Deſign about, and to baffle that of his Adverſaries, who were for laying him aſide, and Proſecuting him as an Incendiary, is here diſtinctly related. This is ſo much the more remarkable, that the* Lord General, *the* Earl of Eſſex, *the* Commiſſioners of Scotland, *and many others, did clearly foreſee, and as plainly foretel, that he would overturn all the meaſures then on foot to ſettle the peace and quiet of the Nations, and yet they had not Intereſt nor Credit enough to prevail againſt him in Parliament or Army. This gives us likewiſe a diſcovery of one of the Original Cauſes of* Oliver's *hatred to the* Scottiſh *Nation under which they afterward ſmarted ſo ſeverely; and by comparing this Tranſaction with the Lord* Hollis *his account of it, we ſhall find that the deſtruction of the King and Government was the principal thing intended by this new Model. This appears plain from the* Earl of Manchester's *Accuſation lodged againſt* Cromwel *in the Houſe of Lords, which the Lord* Hollis *refers to as an undeniable Voucher, becauſe* Oliver *himſelf had imparted it to the Earl when he took him to be one of his own Party.*

Chap. II. *In the* Second Chapter, *we have an account of the actions betwixt his Majeſty's Forces, and the new-modell'd Army, from the beginning of the Year* 1645. *till after the Battel of* Naſeby, *wherein our Author, tho' of the contrary ſide, does* King Charles I. *Juſtice, and fairly owns that he there acted the part of a Gallant General, both for Courage and Conduct.*

duct. Here alſo, as in other places, our Author entertains the Reader with the ſeveral relations of that Battel, from both the General Officers, and the Committee attending the Army. There is one remarkable Inſtance he gives us of General Fairfax's *modeſty in refuſing to open the King's Letters that were taken after the Fight, but that.* Cromwel *and* Ireton *preſs'd him to it. The way how thoſe Letters came to be taken, is no leſs obſervable. One of the Scout-Maſter-General's Spies, being ſent by him to* Oxford, *to acquaint Secretary* Nicholas, *that the Parliament Army would riſe from before that City ſuch a day, the Secretary who thought the fellow came of his own accord, ſent him with the account of their being actually gone, to* General Goring, *who commanded for the King about* Taunton. *The General received him kindly, and thinking him a fit and truſty Meſſenger, preſs'd him to carry that Packet to the King. The Fellow ſeem'd unwilling to undertake it, (tho' nothing could have fallen out more ſuitable to his deſign) for by this means he had an opportunity of bringing them to General* Fairfax. *This ſingle misfortune proved fatal to his Majeſty's Intereſt, for had thoſe Letters been ſent by a faithful hand, they would have arrived in time to have prevented the Battel; for General* Goring *by ſtrong Arguments, adviſed the King to keep on the defenſive till he joyn'd him, which he intended ſpeedily to have done. This was not the only inconvenience that attended the miſcarriage of thoſe Letters, for they quickned General* Fairfax *in his Reſolutions of taking* Leiceſter, *and of marching to the relief of* Taunton. *Here you have likewiſe the account of the Weſterly Club-men, and what paſt betwixt the General and them.*

The Third Chapter, *contains the remarkable and tedious Siege of* Briſtol, *with all the Circumſtances relating thereunto, and the particulars of the long Treaty betwixt* Prince Rupert *and the* General, *and the Conſequence of the ſurrender of it; his defence of his Conduct there, and the King's approbation of the ſame, againſt the inſinuations of ſome of the Royaliſts, who were diſſatisfied with the Prince's management; you have there alſo* Cromwel's *account of his taking* Baſing-Houſe; *the General's account of his actions in the Weſt, taking of* Dartmouth, *intercepting a Packet of Letters of great importance from the Queen; of his Victory over the* Lord Hopton *at* Torrington, *which proved ſo fatal to the Kings affairs in thoſe parts; and the Treaty concluded with the ſaid Lord, for Diſbanding the remainder of his Army, which put an end to the King's Intereſt in the Weſt. At the ſame time a Packet was intercepted from* Ireland, *the publiſhing whereof proved very prejudicial to the King's affairs.* Chap. III.

In the Fourth Chapter, *we have an account of his Majeſty's Marches after the Battel of* Naſeby, *the proceedings of the Scots Army in* England, *and other Military Tranſactions to the end of the year* 1645. *The moſt remarkable of them are, his Majeſty's being defeated by* Major General Poyntz *near* Cheſter, *the Surrender of* Carliſle *to the* Scots, *by Sir* Thomas Glenham, *the Surrender of* Pontefract *and* Scarborough *Caſtles to the Parliament, and the Siege of* Hereford *by the* Scots, *and why they raiſed the Siege under* General Leven's *hand. This misfortune was laid hold on as a plauſible ground of quarrelling with them, by thoſe who were enemies to them and their Cauſe, in Parliament and elſewhere; of which a particular account is given by our Author in this place. Here is alſo an account of the King's ſending the Lord* Digby *with a conſiderable body of Horſe to aſſiſt the Earl of* Montroſe *in* Scotland, *who had obtained ſeveral Victories over the Parliament Forces there; and of defeating the* Lord Digby *by Sir* John Brown *the* Scots *Governour of* Carliſle, *as alſo of the total defeat given to* Montroſe *at* Philiphaugh *not long after, which gave the laſt fatal blow to the King's affairs in* Scotland; *here* Chap. IV.

here we have ſome intercepted Letters of Lord Digby *to Sir* Edward Hide *and Lord* Jermin, *and one from the King to Prince* Rupert, *which ſet the buſineſs of the Lord* Digby's *Intentions towards* Scotland, *with the Condition of the King's Affairs, and his Reſolutions at that time in a clear light. The next conſiderable thing that offers, is the ſurpriſing of* Hereford *by a Stratagem, and the taking of* Weſt-Cheſter *on Terms, by the Parliament Forces commanded by Sir* William Brereton; *after this comes the defeat of the Lord* Aſtley *near* Stow, *which was the only ſtanding Force the King had left him in* England; *this we have an account of by Colonel* Morgan, *who Commanded in chief for the Parliament at that time in theſe parts.*

Chap. V. *The* Fifth Chapter *gives us an account of the moſt remarkable Parliamentary, and Civil Occurrences of the year* 1645. *One of thoſe that deſerves to be notic'd is the Lord* Savil's *Accuſation in Parliament againſt Mr.* Hollis (*afterwards Lord* Hollis) *and Mr.* Whitlock, *as having had private Intrigues with the King, contrary to the Truſt repoſed in them by the Parliament, when they were ſent to Treat with the King at* Oxford; *of which they were cleared by both Houſes. This is ſo much the more remarkable, becauſe the Lord* Hollis *in his Memoirs charges* Cromwel *and Mr.* St. John, *as the Contrivers of this Accuſation. We have here the Declaration of Parliament to the States of* Holland, *concerning their Ambaſſadours Extraordinary, whom they charge with indirect dealings, and miſrepreſenting their Proceedings to the States, of which the Parliament gives them a true account, and complain of the ſaid Ambaſſadors for making themſelves Judges of the Propoſitions treated upon with the King, when they had heard only one ſide. It is obſervable, that in this Declaration to the States, the Parliament takes notice of Endeavours that had been uſed by the Court, to engage both Armies againſt the Parliament by large promiſes, and that the* Scots *Army in particular had rejected the great offers of the Court with diſdain, tho' at the ſame time* Cromwel *and his Party did all they could (as is obſerved by the Lord* Hollis,*) to render the* Scots *ſuſpected of falling in with the King contrary to their Ingagement to the Parliament of* England.

After this our Author gives us a ſecond Declaration of Parliament, concerning their proceedings with the Dutch *Ambaſſadors, and complains of damages done to Shipping and Trade by both Nations. Here we have alſo the proceedings in the Houſe about Eccleſiaſtical matters, and his Majeſties Proclamations in oppoſition thereunto; as alſo the Votes of the Houſe for ſending Propoſals of Peace to the King, and of Treating no more with him by Commiſſioners, and the King's repeated Meſſages deſiring a Perſonal Treaty, with their Reaſons againſt it, and his Majeſties Anſwers.*

Chap. VI. *The* Sixth Chapter *treats of Affairs relating to* Scotland, *where we have an account of* Montroſe's *Exploits, and his total defeat at laſt; of a Remonſtrance ſent the King by the General Aſſembly of the Church of* Scotland, *wherein they deal very freely and plainly with him, and of Letters from the Parliament and General Aſſembly of* Scotland *to the Parliament of* England *and the Aſſembly of Divines, their preſſing the fulfilling of Treaties, and Settlement of Religion.*

Chap. VII. *The* Seventh Chapter *Treats of* Iriſh *Occurrences, and of Affair's relating thereunto in the year* 1645. *particularly of the defeat of the Rebels in* Ulſter *by Sir* Robert Hamilton, *and the killing of the Popiſh Arch-Biſhop of* Tuam, *whoſe Papers being ſeiz'd, they diſcovered his Correſpondence at* Rome *and* Paris, *and the Articles agreed upon*

upon by the Earl of Glanmorgan, *and the chief of the* Ir[redacted] *of our Author gives us a Copy at large. This is so much* [redacted] *vable, because that Earl pretended the Kings Authori*[redacted] *mitted on that account by the Lord* Digby. *We have he*[redacted] *of that Paper which the Earl call'd his Majesty's Autho*[redacted] *ter from him to the King, wherein he promises his Maj*[redacted] *men.*

The Eighth Chapter, *contains Civil and Military Transactions fr*[redacted] *the beginning of the year* 1646. *till the King's coming to the* Scots *Army, and some passages depending thereupon. The first thing is the Secret Vote past in Parliament upon a rumour, that the King intended to come privately to* London. *The next is the Parliamentary Debates with the Commissioners of* Scotland, *about the Propositions to be sent to the King. The Papers delivered in by the* Scots *on that head, incensed the Houses to that degree, that they ordered the Preface before them, written by another hand, to be burnt by the Hangman; and issued out a Declaration of their Intentions to maintain the fundamental Government. Here we have an account of the Surrender of* Bridgewater, Exeter, *and* Barnstable *to the Parliament; of the King's Letter to the Marquess of* Ormond, *about his going to the* Scotch *Army, and his Reasons for so doing. Of the Parliaments Votes, making it Death and Confiscation for any person to conceal the King; also their Votes upon hearing he was come to the* Scotch *Army; The* Scotch *General's Letter to the Parliament concerning it, declaring the surprise of the Army at it, and that there had been no Treaty betwixt his Majesty and them in order thereunto. We have likewise the Declaration of the* Scotch *Commissioners, in behalf of their Nation to the same purpose, wherein they give Reasons to prove the falsehood of what is alledged concerning the same, from the King's Letter to the Marquess of* Ormond. *After this we have the King's Message from the* Scots *Army to the Parliament of* England. Chap. VIII.

The Ninth Chapter, *gives an account of the Siege and Surrender of* Oxford, *the Surrender of* Banbury, Worcester, Wallingford, Ragland Castle, Pendennis, *and the taking of* Conway. *With many material Circumstances relating thereunto.* Chap. IX.

The Tenth Chapter, *gives the Transactions after his Majesty's being at* Newcastle, *betwixt him and the two Houses and the* Scots. *Here we have the Marquess of* Argyle's *Speech to both Houses, upon the consent of the* Scots *to the Propositions of Peace; the desires of the* Scots *concerning their Armies in* England *and* Ireland, *and that all Armies be disbanded; the Declaration of the* Scots *Army as to their Integrity; their Petition to the King, and his Majesty's Answer; his Majesty's Letter to the Marquess of* Ormond, *to treat no more with the* Irish *Rebels; the Votes of the Commons, that there was no further need of the* Scots *Army; Letters from the General Assembly of* Scotland *to the Parliament of* England, *to the City of* London, *and to the Assembly of Divines. Next the Propositions of Peace to his Majesty from both Houses, the King's Answer to their demands; namely, that he should Surrender to them the Garrisons in* Ireland; *the Parliaments rejecting of the* French *King's offers of Mediation betwixt the King and them: The carrying off the Princess* Henrietta *to* France. *The Lord Chancellour of* Scotland's *Speech to the King, about the Propositions of Peace, and his Majesty's Answer to the said Propositions.* Chap. X.

The Eleventh Chapter, *acquaints us with the Transactions with the* Scots, *concerning the removal of their Forces out of* England, *the disposal of his Majesty's Person, and other Intervening Occurrences to the bringing of the King to* Holmby *House. Here we have the* Scots Chap. XI.

Papers to the Parliament upon those heads, their Account of the Arrears due to their Army, the Exceptions made to their Accompts, the Debates upon't, and the agreement at last concluded upon. This Transaction deserves particular notice, because it was the Subject of many differing Reflections, and the occasion of many Invectives against the Scotch *Nation, of whose Integrity and Reputation in the whole Management and Conduct of that affair, there seems to need no greater proof, than what is evident by these Papers, and what the Lord* Hollis *says in their vindication, "Who charges "* Cromwell *and his Faction with being the Authors of much Injustice, "Treachery, and Dis-ingenuity towards the* Scots, *and Promoters of all "those Slanders that were raised against them, and the occasion of the "Country's suffering so much by their Army, which was forc'd to take "free-quarter, and levy Contributions, because the Provisions and Mony "that they ought to have had by agreement, were by means of that Faction "fraudulently detain'd from them. The design of the Party in treating "the* Scots *thus was, that they should either Disband and go home, or "to provoke the Country to rise and fall upon them, that so the Nations "might have been engaged in a War against one another, and all possibi-"lity of Accommodation with the King frustrated; all this is to be seen "at large in the Lord* Hollis's *Memoirs, pag.* 66, &c. *The next remarkable thing in this Chapter, is the Debates betwixt the Parliament and the* Scots, *about Disposing of the King's Person; the Papers Pro and Con are inserted; there you have the Arguments made use of by the* Scots *Commissioners, to perswade the King to sign the Propositions of Peace sent him by the Parliament; His Majesty's Answers; The Letter to the Duke of* Hamilton; *The Votes of the House upon the* Scots *Papers; The several Speeches of the Lord Chancellour of* Scotland, *to the Committee of both Houses upon that Head; The seising of the* Scots *Papers at the Press by order of both Houses; The Answer of the Commons to those Papers; Speeches on that Subject; The Ordinance of both Houses for selling the Bishops Lands, and the Conditions on which the* Scots *were to leave* England. *Our Author is very particular on this head, and makes it evident, that the four hundred thousand Pounds agreed to be paid the* Scots *for their Arrears, had no Relation at all to any bargain or agreement about the disposal of the King's Person, as hath been asserted by some ignorant and mistaken Persons, but only that upon payment of one half of that Sum, they should deliver up the Garrisons they had in* England *and march home; and for the payment of the other half, they should have the publick Faith of the Nation. Mr.* Rushworth *assures us, that hitherto nothing was agreed upon touching the disposal of the King's Person, but that it was concluded on as the Commons had Voted before; that the same should be no hinderance to the marching away of the* Scots *Army. This, with what the Lord* Hollis *says in his Memoirs, page* 67, &c. *sets that great Transaction in a clear light, where he says expresly, "That the* Boutefeus *had one hope left, "which was to quarrel at last about the Person of the King, believing "the* Scots *would certainly have taken his Majesty with them into* Scot-"land; *this they knew had been ground sufficient, and would have en-"gaged all* England *against them, giving a Confirmation to all the Jea-"lousies formerly raised, and occasion'd a thousand more, and had cer-"tainly more advantaged the design of those who thirsted after the de-"struction of the King first, the* Scots *next, and then all such as de-"sired Peace within this Kingdom, and had made them a smoother way "to their damnable ends; the altering of the Government, and bringing "in a confusion both in Church and State, than any thing that could have "happened. And a little further he adds, "But the Wisdom of the

"Scotch

"Scotch *Nation foreſaw the Inconveniencies which muſt have neceſſari-*
"*ly followed, had they been poſitive at that time*; *how they had plaid their*
"*Enemies game to their own ruin, and even ruin to his Majeſty*; *there-*
"*fore they made for him the beſt Conditions they could, that is, for the*
"*Safety and Honour of his Perſon, and to avoid greater miſchiefs, were*
"*neceſſitated to leave him in* England, *and ſo march away*; *which they*
"*did in* Feb. 1646. *Then afterwards he ſays*, "*This gave ſuch a re-*
"*putation to them, and to thoſe that appear'd for them (that is, ſo*
"*far for them, as to endeavour the doing of them right, and prevent*
"*the Practices of thoſe who ſought all means of doing them wrong)*
"*and gave ſuch a blow to the other violent Party, ſo broke their Pow-*
"*er, and leſſen'd their Authority in Parliament, as it made way for ob-*
"*taining thoſe Reſolutions which were preſently taken for Disbanding*
"Sir Thomas Fairfax *his Army.*

There is another Author that had great opportunities of knowing many of the Intrigues of thoſe times, who gives further light in this matter, and plainly diſcovers how the King was impoſed upon by Cromwel *and the Army, and deluded into an obſtinate Refuſal of complying with the Propoſals of the Parliament, and the Deſires of the* Scots *whilſt he was with them at* Newcaſtle; *that is Col.* Joſeph Bamfeild, *in his Apology Publiſhed An.* 1685. *who, page* 16, &c. *ſays*, "*That* Crom-
"well, Ireton, *and their Party, impoſed a Belief upon ſome of the*
"*greateſt and beſt of the King's Friends, that the Army would reſtore*
"*him upon his rejecting the Parliaments Propoſitions*, &c. *And that*
"*they might poſſeſs his Majeſty with the ſame opinion, they conniv'd at*
"*the eſcape of a Clergy-man* (who by the circumſtances muſt be
"Mr. *Hudſon*) *out of the Tower, who had credit with the King, and was*
"*an irreconcileable Enemy to the Presbyterians and* Scots; *This Clergy-*
"*man having inſtructions from ſome of the greateſt and wiſeſt of the*
"*King's Friends, that were impoſed upon by* Oliver, *as before mention'd,*
"*came ſecretly to his Majeſty at* Newcaſtle, *prevail'd with him to re-*
"*ject the Parliaments Propoſals, and poſſeſt his Majeſty with hopes of*
"*being reſtored by the Army*; *Which makes it Evident, that he was*
delivered by the Scots *to the Committee of the Parliament of* England,
by the underhand procurement of the King himſelf and his Friends,
without the Scots *knowing any thing of thoſe ſecret managements be-*
twixt the King and the Army. Col. Bamfeild *was ſo ſenſible of the*
cheat contrived by Oliver *and his Party in this matter, that he ac-*
quainted the Marqueſs of Hartford, *one of his Majeſty's chief Friends,*
with it; but the Marqueſs himſelf was ſo far deluded by Oliver's *falſe*
promiſes, that he adviſed Col. Bamfeild *to forbear oppoſing it, and told*
him he was ſuſpected by the Clergy to favour the Presbyterians more
than the King, &c. *So that all the Colonel could ſay in his own vindi-*
cation, or for the King's ſafety, was to no purpoſe. But to return to
our Author; *the other remarkable things in this Chapter, are the Par-*
liament of Scotland's *Inſtructions reſolved on, to their Commiſſioners*;
The ſolemn and ſeaſonable Warning of their general Aſſembly, which oc-
caſioned an alteration in thoſe Inſtructions, the King's Meſſage to both
Houſes; and the Commiſſioners of Scotland *for a perſonal Treaty*; *The*
Votes of both Houſes about the King; *Their appointing Commiſſioners*
to receive him from the Scots; *His Majeſty's Queries to the* Scots
Commiſſioners upon that head, with their Anſwers; *The Parliament of*
Scotland's *Letter to the Parliament of* England *about delivering his*
Majeſty, and the Declaration of the Kingdom of Scotland, *ſhewing on*
what terms their Army received his Majeſty, and for what reaſons, and
on what terms they delivered him to the Commiſſioners of the Parlia-

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ment of England: *The Reaſons of their delivering him, were his not giving a ſatisfactory anſwer to their Propoſitions, their earneſt deſire to keep a good underſtanding betwixt the two Kingdoms, to prevent new troubles within the ſame, to ſatisfie the deſire of his Majeſty, of the two Houſes of Parliament in* England, *and of the Parliament of* Scotland, *for his reſidence in ſome of his Houſes, near the Parliament of* England; *the Terms on which they deliver'd him, were that he ſhould go to* Holmby-Houſe *or ſome other of his Majeſty's Houſes as ſhould be thought fit, there to remain till he give ſatisfaction to both Kingdoms in the Propoſitions of Peace, and that in the mean time there be no harm, prejudice, injury or violence done to the Royal Perſon of the King; that there be no change of Government, other than hath been thoſe three years paſt, and that his Poſterity be no ways prejudic'd in their lawful Succeſſion. To this the Kingdom of* Scotland *added ſome other deſires, as to which we have the Parliament of* England's *Anſwer, with the account of the delivering of the King, and the marching of the* Scots *Army out of the Kingdom.*

Chap. XII.

The Twelfth Chapter, *gives us the ſtate of Affairs in* Ireland, *during the Year* 1646. *in which we have an account of the defeat given by the* Iriſh *Rebels, to a Party of the* Scots *Army in the* North *of* Ireland, *Commanded by Major General* Munroe, *whoſe Letter with the account of the Action is laid before us, as alſo an account of a Victory obtain'd by a Party of the* Scots *over the* Iriſh *in* Connaught. *The next thing is the Marqueſs of* Ormond's *Negotiation and Proclamation of Peace with the* Iriſh *Rebels, and the Articles agreed on with them after a long Treaty. This is ſo much the more obſervable, that ſuch advantagious Conditions were ſo eaſily granted to the* Iriſh *Papiſts in that Kingdom, when his Majeſty made ſo much difficulty to agree to the Propoſitions of Peace, preſented to him from the Parliament of* England *and* Scotland; *and that the* Iriſh *Popiſh Biſhops and their Clergy Congratulated the Marqueſs of* Ormond, *upon the concluſion of that Peace, while at the ſame time, they endeavoured to incenſe him againſt the Proteſtant Party, as deſerving no ſhare of his favour. The next thing is the Lord* Digby's *Letter, inviting the Lord* Inchiqueen *to come over to the King's Intereſt, with his Anſwer; wherein the Earl complains of the Peace made with the* Iriſh *Rebels, as deſtructive to the Proteſtant Religion and the King's Intereſt. The Popiſh Layety were pleaſed with this Peace, but moſt of the Clergy diſliked it, Excommunicated thoſe who were for't, and the Pope's Nuncio at the head of them, declared War againſt the Marqueſs of* Ormond *about it. The Marqueſs came afterwards to a Treaty with the Parliament of* England, *which after a great deal of time ſpent about it had no ſucceſs. Our Author gives the whole Proceedings of the Treaty at large.*

Chap. XIII.

The Thirteenth Chapter, *contains the Proceedings of Parliament from* April 1. *to* May 1. 1647. *They took order for the Civil and Military Government of* Ireland, *and to raiſe Money for their relief; Col:* Hammond *and* Pride *are queſtion'd for ſeditious Petitions in the Army againſt Disbanding, and order General* Fairfax *to diſcharge and hinder thoſe Petitions*. About this time the Earl of* Antrim *and ſome of the* Iriſh *Rebels, the Earl of* Hantley *and others of 'em were defeated in* Scotland. *Then an account is given of ſeveral Petitions from the Country for Disbanding the Army, and the Orders of the Houſe upon them, and accordingly they Vote what Forces ſhould be continued, and what not; they order Col.* Boſwell *to be taken into Cuſtody, for delivering*

* The Lord *Hollis* in his Memoirs gives a particular account of the General's and his Officers, their prevarication in this Matter.

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a Packet of Letters from France *to the King at* Holmby. *Commiſſioners are ſent to the Army, to propoſe that a part of them ſhould go for* Ireland, *but moſt of 'em refuſed, and others inſiſted on high Conditions: The Houſe reſolve on Disbanding the Army, which they Petition againſt, appoint ſome of their own Number to give an account of their Affairs to the Parliament, and grow more and more inſolent and mutinous. Commiſſioners were afterwards ſent down to pacifie the Army, and to acquaint them that they ſhould have Money paid, their Accompts adjuſted, and an Indempnity granted before they were Diſbanded.*

The Lord *Hollis* gives a particular account of their inſolence and diſſimulation on this occaſion, and of the chief promoters of it.

The Fourteenth Chapter, *gives us an account of the Proceedings in Parliament from* May *to* June, 1647. *The Officers of the Army are ordered to return to their Commands on ſevere Penalties; ſome ſuſpicions were about this time ſpread abroad, as if the Army deſign'd to comply with the King: A Petition was preſented from ſome Citizens directed* to the Commons, as the Supream Authority of Parliament, *was diſliked by the Houſe: a Breef was appointed for the Relief of poor Proteſtants fled from* Ireland. *Falſe intelligence was ſpread abroad concerning the Army, by a Servant belonging to the Duke of* Buckingham. *The* Scots *Forces were ordered to leave* Ireland. *The Houſe ordered an Additional Pay to the Souldiers, before Disbanding of the* Engliſh *Army: The King ſends a Meſſage from* Holmby *to both Houſes, ſignifying that he had waited long for the Propoſitions, and had prepared an Anſwer to them. Conferences were continued at* Saffron-walden, *betwixt the Commiſſioners of Parliament and thoſe of the Army, who thoſe common Troopers for Agitators to repreſent their Grievances to the General Officers, who were to contract them. The Lord* Inchiqueen *was ſucceſsful in* Ireland *againſt the Rebels; The King's Letter to Anſwer to the Propoſitions ſent him, was read in the Houſe. Upon advice from the Commiſſioners of the ſtubbornneſs of the Army, the Houſe Voted that all the Forces that would not go for* Ireland *ſhould be Diſbanded, except Garriſons. Another Petition from ſome Citizens, calling the Houſe* the Supream Authority, *was ordered to be burnt. Upon the King's deſire to come nearer* London, *the Houſe of Lords Voted his coming to* Oatlands. *The Houſes paſs'd an Ordinance for Indempnity to the Army. A Letter was Intercepted from Mr.* Aſhburnham *to the King, adviſing him to forbear coming to an abſolute agreement with the Parliament, and putting him in hopes of an Army of fifty thouſand Foreigners: Farther orders were made about Disbanding of the Army, which did not pleaſe the Souldiers; ſeveral Debates follow betwixt the Parliament and the Army on that head.*

Chap. XIV.

Lord *Hollis* on this occaſion gives an account of the unfair dealings of *Cromwell* and other General Officers in this matter.

The Fifteenth Chapter, *contains the Proceedings in Parliament from* June *to* July, 1647. *where we have the Debates betwixt them and the Army continued; The Army's refuſal to Disband, and the carrying away of the King from* Holmby *by a Party Commanded by* Cornet Joyce, *formerly a Tayler. Our Author is very particular in all thoſe Debates and Tranſactions; and of what paſs'd betwixt the Commiſſioners of Parliament that attended the King, and the Party that took him from* Holmby-Houſe, *and the Army's Reaſons for doing ſo: The General's account of it to the Parliament.* "*But the Lord* Hollis *in his Memoirs, and Col.* Bamfeild *in his Apology, charge* Oliver "*directly with contriving it; the latter gives great light into that matter, and a very diſtinct account of what he himſelf did to prevent it, by acquainting the King with it, and endeavouring to effect his eſcape,*

Chap. XV.

"*but found it unpracticable: He diſcovers likewiſe the fraudulent promiſes* "*of* Oliver *and his Party to the King; their Propoſals for reſtoring* "*him to his Throne on eaſier terms than thoſe demanded by the Par-* "*liament, with which his Majeſty and his Friends being deceived, they* "*concurr'd with* Oliver *and the Army to prevent and fruſtrate all* "*the Endeavours of Parliament and City, to compel the Army to Diſ-* "*band, and to reſtore his Majeſty to the Exerciſe of his Government on* "*ſolid Foundations.*

But to return to our Author, who in the next place gives us a repreſentation of the diſſatisfactions of the Army, in relation to the Parliament's order for Disbanding them. The ſolemn Engagement of the Army the day before Joyce *ſeis'd the King, and a frantic Narrative, call'd* A True Impartial Narration *concerning the Army's Preſervation of the King, the Author whereof ſeems to be the firſt who Publiſhed in Print that malicious Lye againſt the* Scots, *as if they had ſold the King. Then we have an account of Petitions from ſeveral Counties againſt Disbanding the Army, which the Lord* Hollis *imputes alſo to* Oliver's *Contrivance. The reſt is taken up in farther Debates betwixt the Houſes and the Army about Disbanding, and the force put upon them by the Army, in making them recall their Orders and Declarations,* &c. *concerning the Forces, the Militia of* London, *and raiſing Troops for the defence of themſelves and the City; their diſobeying the Orders of Parliament and deſires of the City, that they ſhould come no nearer* London *than twenty Miles; after this they proceed to higher degrees of Inſolence, in Demanding the Parliament to be purg'd and new-modell'd, and contrary to their former Declarations, as the Lord* Hollis *obſerves, they bring in a Charge againſt the eleven Members, and Demand they ſhould be Diſcharged from ſitting in the Houſe; then the Debates betwixt the Houſe and them on that head, and about the King's coming no nearer* London *than the Army, concluding with a Treaty betwixt the Parliament and the Army.*

Chap. XVI. *The* Sixteenth Chapter, *contains the Proceedings in Parliament from* July 5. *to* Auguſt 1. 1647. *It begins with the Treaty betwixt the Parliament and the Army, and the continued diſobedience of the latter. The King deſires to ſee his Children, which was granted; with all the Circumſtances relating thereunto. Petitions of contrary Tendencies were at this time promoted, and preſented to the Houſe from different Parties and Intereſts of* London *Apprentices. The buſineſs of the eleven Members was again Debated, and at laſt they deſire leave to withdraw, which was granted them. Petitions and Engagements were form'd in the City againſt the Army, who forc'd the Houſe and City to declare againſt ſuch Practices, tho' they had Voted the King ſhould come to the City, and ordered Forces to be raiſed, and the Train-bands to be arm'd,* &c. *About the ſame time there was a Treaty on Foot betwixt the Commiſſioners of* Scotland *and the Parliament, for ſetling what ſtill remain'd to be done, but it came to no effect. This Volume concludes with an account of the General's advance with his Army towards* London, *contrary to their former Declarations; what followed thereupon is related at large in the laſt Volume of this work.*

Chap. XVII. *The* SECOND VOLUME, *begins with the Year* 1647. *and comes down to the Death of King* Charles I. *in* An. 1648. *The* Firſt Chapter *of this Volume, is the Seventeenth in Number, and gives*

gives account of Tranſactions betwixt the Parliament and Army, with the Papers relating thereunto at large, which gives us a clear view of the Pretenſions on both ſides, and a plain Demonſtration, that no Authority is able to withſtand the Deſign of a Standing Army, under the Conduct of a Crafty General. We have an account here of the Army's March to London, *and their obliging both Parliament and City to recall their former Declarations againſt it: The King thought fit to diſown his having any hand in what had been done in the City againſt the Army, and that part of the Parliament that adhered to them, which joyn'd to Col.* Bamfeild's *Account of this Tranſaction, ſhews how his Majeſty was trick'd into this by the Army, to the irrecoverable loſs of his Intereſt, and life at laſt. The Army having thus trod under foot the Laws of* England, *did the like as to the Laws of Nations, and by violence forc'd the* Scots *Commiſſioners to go from his Majeſty's Quarters, without ſuffering them to ſpeak to the King, which the Earl of* Lauderdale *one of their Number proteſted againſt, but to no purpoſe, tho' the Commiſſioners that attended the King from the Parliament of* England, *told the Souldiers what might be the dangerous Conſequence of ſuch a Practice. The Army march'd up to* London, *and brought thoſe Members, of both Houſes along with them, that had retired to them upon their approach. Our Author gives us the Engagement ſign'd by thoſe Lords and Commons, the Declaration of the Army, the General's Letter to the City, &c. and an account how the Parliament and Army flattered one another at this juncture, how the General was brought to both Houſes in great ſtate, and the Votes that enſu'd upon't, declaring all to be void that the Parliament had done during the abſence of thoſe Members.* Maſſey *and* Poyntz *that were to have Commanded the City Forces, &c. againſt the Army, were forc'd to retire, and left a Declaration behind them, which our Author exhibits. In the next place he gives us an account of the Proceedings in* Scotland, *and Duke* Hamilton's *Engagement to relieve the King, vindicate the Members of Parliament unjuſtly impeach'd, and to ſettle the Presbyterian Government according to the Covenant. About this time Col.* Jones *obtain'd a Victory over the Rebels in* Ireland: *Sir* John Cheeſely *Secretary to the* Scots *Commiſſioners, was ſtop'd at* Newcaſtle, *of which, complaint being made to the Parliament, they ordered him to be releaſed. The Army Remonſtrates for purging the Houſe, and enquiry is made after thoſe that were to Command the Forces deſign'd to oppoſe them, and ſeveral Members of both Houſes queſtion'd for Countenancing that affair.*

The Eighteenth Chapter, *contains Proceedings in Parliament, from* Sept. 6. *to* Octob. 2. 1647. *The moſt remarkable of which was the Concurrence of the* Scots *Commiſſioners to the Propoſitions of Peace ſent to the King; The deſire of the Parliament of* England *that the* Scotch *Forces in* Ireland *ſhould be recall'd from thence; The Proceedings againſt ſeveral Lords, Sir* John Maynard *and others on an accuſation that they had deſign'd to have raiſed a new War; The Regulating of the City Militia; The King's Anſwer to the Propoſitions; Petitions for farther purging the Houſe; Debates upon information from* Ireland, *that the Lord* Inchiqueen *and the* Scots *deſign'd to join againſt the Army in* England; *The Army makes a new Declaration to the Houſe concerning their Pay, and matters of Government; The Houſes Voted the King's Anſwer a flat denial; They Impriſon the Lord Mayor, and many other Perſons on account of the force put upon the Houſe by Tumults, and ordered ſome of them to be Proſecuted.* Chap. XVIII.

Proſecuted for High-Treaſon. The Army move to have their Arrears levy'd on the City by way of diſtreſs.

Chap. XIX. *The* Nineteenth Chapter, *contains the Proceedings in Parliament to the end of* October, 1647. *They were now about the eſtabliſhing the Army in* England *and* Ireland, *and ſetling the Government of the Church by Presbytery; The Army would not ſuffer the Duke of* Richmond, *and others whom the King ſent for as Privy Councellors to adviſe with, to ſtay about him; They preſs for their Pay and Arrears. The Agitators of* Cromwell's *and other Regiments in the Army, preſented a Paper to the General about this time, wherein they ſpeak very high, and declar'd they would part with their lives ſooner than their Liberties. Col.* Jones *is ſucceſsful in* Ireland; *Commiſſioners from* Scotland *attend his Majeſty at* Hampton-Court; *The States of* Scotland *reſolve to keep up their Army, becauſe of the dangers that threaten Religion, the King's Perſon, and the Union and Peace of the Nations; The Houſes Debate the Propoſitions to be ſent to the King.*

Chap. XX. *The* Twentieth Chapter, *contains the Proceedings of Parliament, and other remarkable Occurrences in* November 1647. *namely, Debates about providing the Army in* Ireland; *farther Papers from the Diſſenting Agitators of the Army in* England; *Their agreement together at laſt, and bold Declaration to the Parliament, concerning the time they ſhould ſit, and the manner of Elections,* &c. *The alteration they demanded to be made in the Propoſitions to be ſent to the King: The* Scots *Commiſſioners in name of the Kingdom of* Scotland, *demand that a perſonal Treaty be had with the King, and that he may not be carry'd about by the Army, but have leave to come to* London *with Honour and Safety. Col.* Jones *farther ſucceſs in* Ireland; *The Agitators preſent a Petition to the Commons, whom they call* the Supream Authority of the Nation; *this the Commons Vote to be ſubverſive of the Government; The King makes his eſcape from* Hampton-Court, *and leaves a Letter behind him for the Parliament.*

[Col. *Bamfeild* in his Apology, charges this upon Oliver and his Party as their Contrivance, which his Majeſty's Letter makes very probable, conſidering that he inſiſts too much upon ſatisfaction to the Army.]

The Houſe Votes it Death and Confiſcation for any Man to detain his Majeſty, and not deliver him to the Parliament; Col. Hammond *ſends a Letter to the Lords, acquainting them that his Majeſty was come to the* Iſle *of* Wight, *and put himſelf under his Protection. The Parliament takes care that his Majeſty ſhould be provided for, and Diſſolves his Houſhold; The Army continues mutinous; His Majeſty ſends a Letter to both Houſes, deſiring a perſonal Treaty; then follows the account of Col.* Hammond's *Letters to the Parliament about the King; the reſt is taken up about the Propoſitions to be ſent to his Majeſty; the Demands of the Army; the Lord* Inchiqueen's *Victory in* Ireland, *and Intercepting of Letters from the Lord* Digby *to the Lord* Taaf, *which diſcover ſome Intrigues at Court.*

Chap. XXI. *The* Twenty firſt Chapter, *contains the Proceedings in Parliament from* December 6. *to* January 1. *and other Occurrences during that time; the chief of which, is a mutinous Repreſentation from the Army to the Parliament, Reflecting upon their Proceedings; a Letter from the*

the King to the Parliament, urging a Perſonal Treaty; The diſcovery of a new Plot againſt the Parliament; The Declaration of the Scots *Commiſſioners againſt ſending the four Bills to the King; The Anſwer of both Houſes to the ſaid Declaration, and their ordering that the Printer of it be committed; Mr.* Saltmarſh *his Prophecy againſt the Army, and his Death ſoon after; the Diſſent of the* Scots *Commiſſioners againſt the four Bills preſented to the King, and a meeting in the* Iſle *of* Wight *for his reſcue.*

The Twenty Second Chapter, *gives an account of Proceedings in Parliament,* &c. *during the Month of* January, 1647. *The Parliament being new purged according to the deſire of the Army, they quickly come to an Agreement, and Votes paſs that no more Addreſſes ſhould be made to the King, nor no more Meſſages received from him; and in the mean time his Majeſty is ſtrictly guarded in* Carisbrook-Caſtle. *They order ſuch Papers as had been taken during the War, and tending to juſtifie the Proceedings of the Parliament ſhould be Printed, particularly a Warrant in his Majeſty's own hand, for diverting the Ships deſign'd for the relief of* Rochel; *The Army Publiſhes a Declaration, to adhere to the Parliament in their Proceedings concerning the King, and for ſetling the Kingdom, without and againſt him, which was approved by Parliament; Ten of the Eleven Members, and Seven Lords are ordered to be proceeded againſt by Impeachment of High-Treaſon.* Chap. XXII.

The Twenty Third Chapter, *contains the Proceedings during the Month of* February, 1647. *The Counties ordered to be divided into Claſſical Preſbyteries; General* Fairfax *ordered thirty Perſons to Attend his Majeſty as Servants, and no more to be allow'd; an Ordinance againſt Stage-Plays paſt; The number of the Army ſettled, with the alterations made in the Settlement; The Parliaments Declaration, why no farther Addreſſes are to be made to his Majeſty.* Chap. XXIII.

The Twenty Fourth Chapter, *contains the Proceedings during the latter end of* February *and* March, 1647. *The moſt remarkable whereof is, the Declaration in Anſwer to the Papers of the* Scots *Commiſſioners, upon the Queſtion,* Whether the Kingdom of *Scotland* have an Intereſt in the matter of our Propoſitions or Bills, containing our deſires for a Foundation of Peace, *&c. The Lord* Inchiqueen's *farther ſucceſs in* Ireland. *The Proceedings of the Parliament of* Scotland *with Relation to the Affairs of* England; *The Lord* Inchiqueen's *Officers and Souldiers much diſcontented and ſtraitned in* Ireland; *Tumults in* Pembrookſhire *for the King.* Chap. XXIV.

The Twenty Fifth Chapter, *contains Proceedings in Parliament during the Month of* April, 1648. *Proceedings of the General Aſſembly in* Scotland, *againſt a War with* England. *Col.* Poyer's *proceedings againſt the Parliament in* Pembrookſhire; *A dangerous tumult in* London, *ſuppreſt by the Souldiers in the* Meuſe; *The Lord* Inchiqueen *revolts from the Parliament, and is declared Rebell; The Report of the ſaid Revolt, and the Cauſes thereof; The Anſwer of the Committee of danger in* Scotland, *to the Commiſſioners of the Parliament of* England; *The Duke of* York *makes his eſcape beyond Sea; Farther oppoſition of the Miniſters of* Scotland *to the War with* England, *and the Anſwer of the contrary Party to their Objections. A Deſign of the Army diſcover'd to Diſarm and Plunder* London, *fearing the City would joyn with the* Scots; *The Petition of the City, and Proceed-* Chap. XXV.

ings of the Houſe upon't; The Houſe Votes, that the Government ſhould ſtill be by King, Lords, and Commons.

Chap. XXVI. *The* Twenty Sixth Chapter, *contains the Proceedings in* May 1648. *wherein we find the Parliaments Forces defeated in* Wales; *The King's Party carry all in the Parliament of* Scotland; Berwick *ſurpriſed by the* Engliſh *Cavaleers*; *The Demands of the Parliament of* Scotland *from the Parliament of* England *in behalf of the King, and againſt the Army*; *Petition from the Grand Jury of* Eſſex *for a Treaty with the King*; *Tumults in* Colcheſter; *The Parliaments Declaring they will adhere to the Covenant, and join with the* Scots *in the Propoſitions ſent to the King at* Hampton-Court; *Riſings in South* Wales *for the King*; Carliſle *taken by the King's Party*; Langdale's *Raiſing of Forces for the King*; *Col.* Horton's *defeating the King's Party in* Wales; *The Commiſſioners of the Church of* Scotland's *Declaration againſt a War with* England; *Tumults for the King in ſeveral parts of* England; *The Deſign of the Cavaleers againſt the City diſcovered*; *Proceedings of the City and Parliament thereupon*; *Debates in Parliament about Treating with the King*; Chepſtow-Caſtle *retaken from the Cavaleers*; *The Revolt of the Ships againſt Col.* Rainsborrow, *and the Earl of* Warwick *deſired to Command them*; *Riſings in* Kent *and* Cornwall *for the King ſuppreſt*; *Oppoſition made to the raiſing of Forces in* Scotland.

Chap. XXVII. *The* Twenty Seventh Chapter, *gives us the Proceedings of* June, *viz. A large account of the Riſings in* Kent, *and the Defeat given the Cavaleers there*; *Three Bills to be preſented to his Majeſty, Ordered to be ſent to the Parliament of* Scotland *for their Concurrence*; *The eleven impeach'd Commoners, the impeach'd Aldermen and Lords Diſcharged by the Parliament. The Lord* Goring *after his being defeated in* Kent, *paſſes the River at* Greenwich, *and Marches with the remainder of his Forces into* Eſſex, *he is declared Rebell, and Indempnity offered thoſe that join'd him, upon laying down their Arms*; Pontefract-Caſtle *ſurpriſed by the* Cavaleers; *Town and Caſtle of* Denby *taken by the Parliament Forces*; Dover-Caſtle *relieved*; *The ſufferings of* Jerſey *by the Cavaleers*; *The Cavaleers routed in* North-Wales; *Proceedings againſt the Lord* Goring, *and the remainders of the Cavaleers in* Eſſex; *Eighty Gentlemen ſurpriſed that deſign'd to be a Guard to the Prince of* Wales; *The Committee of* Eſſex *ſurpriſed and ſeis'd by the Lord* Goring, *and carry'd to* Colcheſter; *The Particulars of the Siege and Surrender of* Colcheſter, *are related in this and the following Chapters.* Langdale's *Forces defeated in the* North; *Great diſtractions in* Scotland. *The Parliament of* England *Vote all ſuch as take Arms againſt them Traitors by the* 11. *of* Rich. II. *and* 1. *of* Hen. IV. *The City of* London *Petition for a Perſonal Treaty with the King.*

Chap. XXVIII. *In the* Twenty Eighth Chapter, *we have the Occurrences of* July, 1648. viz. *Debates in Parliament about a Perſonal Treaty with the King*; *Cavaleers in the North defeated and Priſoners taken, being Commanded by Sir* Richard Tempeſt; *Duke of* Buckingham, *Earls of* Holland *and* Peterborrow, *&c. with* 500 *Horſe, make an Inſurrection near* Kingſton *upon* Thames, *to bring the King to the Parliament, in order to the ſetling of Peace*; *The* Pontefract *Cavaleers, and thoſe under the ſaid Lords are routed*; *Conference betwixt the Houſes and City about Treating with the King*; *Total defeat of the Royaliſts under the Earl of* Holland, *&c. Duke* Hamilton *advances into* England *with the*

Scots

Scots *Army*; *The Prince of* Wales *Sails from* Callis *to* Holland, Pembroke *Town and Caſtle Surrendred to* Cromwell; *The Commons adhere to their Votes, that the King ſign the Propoſitions before the Perſonal Treaty; New Petitions from the City,* &c. *for a Perſonal Treaty; Thoſe that invited or aſſiſt Duke* Hamilton *declared Traitors; The Retreat of the Parliament Forces before Duke* Hamilton; *The Lords and Commons differ about Treating with the King; The Prince of* Wales *with ſome Ships appear on the Coaſt near* Yarmouth; *both Houſes agree to treat with the King at* Carisbrook *Caſtle; The Prince of* Wales's *Declaration.*

The Twenty Ninth Chapter, *contains the Occurrences in* Auguſt. *The Prince of* Wales *takes ſome Merchant Ships in the* Downes; *Offers to releaſe them for* 20000 *l. All that join'd or adhere to the Prince, declared Rebels; A Petition from the Common Council of the City, deſiring the King may be freed from his Reſtraint, that Hoſtilities may ceaſe, Church Government be ſetled, and* Ireland *relieved; The Kings Anſwer to the Votes of the Houſe for a Perſonal Treaty at* Newport; *The Prince's Letter to the Town of* Yarmouth; *The King's Letter to the Houſe concerning the Treaty; Men Landed by the Prince defeated; Proceedings in Parliament concerning the Treaty with the King; Prince* Charles *invited into* Scotland *by the Committee of Eſtates; Commons refuſe to join with the Lords, in inviting the* Scots *to treat with the King, but promiſe ſafe Conduct to ſuch as the King invites; The Defeat of Duke* Hamilton *and his Army by* Cromwell, *with his Letter concerning it; The Duke and others of Note taken afterward. After this Defeat, the Remaining part of the Money due to the* Scots *Army according to agreement at* Newcaſtle, *is paid to the* Engliſh *Navy,* &c. *tho' it was ordered to be paid to the* Scots *before;* Colcheſter *Surrendred, and Proceedings thereupon; The King accepts the Treaty.* Chap. XXIX.

The Thirtieth Chapter, *gives the Occurrences of* October, 1648. *The Earl of* Warwick *purſues the Prince, and the Revolted Ships that retired into* Holland: *Petition to the Commons from many People in* London *againſt a Treaty, containing inſolent Demands in point of Government.* Munroe *and the* Scots *Cavaleers obliged to retreat home. The Marqueſs of* Argyle *in Arms againſt the Cavaleers in* Scotland; *The Earl of* Leven *makes the Committee of Eſtates to flie from* Edinborough. *The Treaty begun with the King, and Proceedings in't.* Munroe *Attacks* Argyle *contrary to Articles;* Cromwell *enters* Scotland; *his Declaration why;* Monks *ſucceſs againſt the* Scots *in* Ireland; *A Plot to Murder Eighty Members that oppoſed the Treaty, and to Stab the General.* Chap. XXX.

The Thirty Firſt Chapter, *gives the Occurrences of* October; *where we have a Letter from the King to both Houſes, that he will confirm Preſbytery,* &c. *for three Years; The Commons diſlike the Meſſage;* Berwick *Surrendred; Proceedings with the King about Religion;* Cromwell's *Proceedings in* Scotland; *Petitions to the General from ſeveral Regiments about Government, with inſolent Demands; The Kings Anſwer to the Parliaments Propoſitions; Farther account of* Scots *affairs; The King's Meſſage about Epiſcopacy, Voted unſatisfactory; Letter from the Committee of Eſtates in* Scotland *to the Parliament of* England, *deſiring a fair Correſpondence; More Petitions from the Army againſt the King and his Party.* Ormond *is for concluding a Peace with the Rebels in* Ireland. Chap. XXXI.

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Chap. XXXII. *The* Thirty Second Chapter, *gives us the Proceedings of* November, 1648. *The Kings Meſſage about* Ireland, *voted unſatisfactory*; *His farther Condeſcenſion about Prelacy and the Common-Prayer*, &c. *Voted unſatisfactory*; *His coming to* London *with freedom Voted*; *The Army's Remonſtrance to the Parliament againſt the King*; *Debates with the King about the Church*; *Some of the Revolted Ships return to the Admiral*. *The Army ſecures the King in the* Iſle *of* Wight; *The Parliament diſſatisfied therewith*; *The Army's Declaration and March towards* London; *Col.* Cook's *Narrative of the King's being carried to* Hurſt *Caſtle, and deliberations thereupon.*

Chap. XXXIII. *The* Thirty Third Chapter, *gives the Occurrences of* December; *The Parliament Vote the carrying of the King to* Hurſt *Caſtle was without their advice or conſent*; *the Army makes new Remonſtrances to the Parliament, and ſeize on many Members*; *Propoſes new Models of Government*; *Forces the Houſes to recall all they had done about a Treaty with the King, and particularly, that his Majeſty's Conceſſions were ſufficient grounds for ſetling the Peace of the Kingdom*; *The Fleet Concurs with the Army's Remonſtrance*; *Petitions from ſeveral parts of the Country, that the King be brought to Juſtice*; *The King brought to* Windſor; *The Council of War forbids all Ceremonies to be uſed to the King.*

Chap. XXXIV. *The* Thirty Fourth *and laſt* Chapter, *gives the Proceedings of* January, 1648. *The Commons order an High-Court of Juſtice for trying the King*; *The Lords diſagree to it, whereupon the Commons declare themſelves the* Supream Power; Scots *Committee of Eſtates deſire the King may not be try'd without advice of their Nation*; *The* Scotch *Parliament diſſents from the Parliament of* England, *as to the Tryal of the King*; *The Commiſſioners appointed for trying the King*; *The particulars of the Tryal*; *The* Scots *enter their diſſent about it*; *The particular Evidences againſt the King*; *His Majeſty's Defences*; *The Sentence againſt him*; *His laſt Speech, Execution, and Funeral*; *The Order of the Commons againſt proclaiming any of King* Charles's *Iſſue.*

ERRATA.

Preface, pag. 8. line 30. for *Hantley* read *Huntley*. p. 9. l. 15. dele *was*. p. 11. l. 32. read *to vindicate*.

20 *Caroli.*

A CONTINUATION OF Hiſtorical Collections.

PART IV. VOL. I. Beginning in 1645.

CHAP. I.

Containing the Propoſals, Debates, and perfecting of the New Model of the Parliament's Army under Sir Thomas Fairfax, *Commander in Chief: And the State of the King's Affairs and Strength, as alſo the Parliament's, at that time.*

THE firſt Remarkable Affair which preſents it ſelf to Conſideration in the Year 1645, is the Matter of the *Self-denying Ordinance* (as it was called) and New-Model of the Parliament's Army; which, they deſigned and ſtruggled for, during ſome Months before; but was not compleatly agreed upon and conſented unto by both Houſes, till about the beginning of this Year. And to give the Reader a perfect deduction of this Buſineſs, we muſt look back to the 9*th.* of *Decemb.* 1644. (when it was firſt ſtarted in the Houſe) and thenceforth ſum up the particular proceedings therein.

The Author begins this Year 1645, with an Account of the Self-denying Ordinance and New Model of the Army.

The Province I have undertaken is to conſign to Poſterity *Overt-Acts, (Facta, Scripta, Dicta, prout facta, ſcripta vel dicta ſunt)* without either judging of their Qualities, or diving after the ſecret Reaſons of them, in aſſigning which, Authors many times relate their own *Conceits*, rather than the *true motives* which induced the Actors to ſuch Reſolutions. Yet it appears in our Collections before going, that the Two Houſes had taken notice of the bad ſucceſs of their Armies on ſeveral occaſions, and at divers places; more eſpecially of late at *Dennington*-Caſtle, which was generally attributed to the ill Conduct of certain Eminent Commanders, (the General *Eſſex* not being then preſent) of whom ſome were thought too fond of a Peace, and others over-deſirous to ſpin out the War, and others engaged in ſuch particular Feuds, that there was little vigorous Action to be expected from ſuch diſagreeing Inſtruments. And yet to ſearch too deep into paſt Miſcarriages, or determine in favour of either of thoſe that mutually Recriminated each other,

Jealouſies and Differences amongſt the Parliament's Commanders.

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might (under their then preſent Circumſtances) prove the next danger to ſuffering a Continuance of the ſame Inconveniencies. Beſides, there were of the Army-Officers (eſpecially ſince the coming in of the *Scots*) two apparent Parties, the firſt zealous for ſetting up *Presbytery*, the other (called *Independents*) endeavoured to decline that Eſtabliſhment; and of this latter party Lieutenant General *Cromwell* was eſteemed one of the Chief; and as on that ſcore he was little beloved by the *Scots*, ſo by reaſon of his Popularity, General *Eſſex* began to Entertain ſome Jealouſies of him, and therefore with the *Scotch* Commiſſioners had a Conſultation (about the end of *November* or beginning of *Decemb.* 1644) touching the means how to remove him. Which by Mr. *Whitlock* (a perſon preſent and concern'd) is related to this effect.

A conſult about accuſing *Cromwell* for an *Incendiary*. *Whitlock's* Memorials, fol. 111.

One Evening very late *Maynard* and *Whitlock* were ſent for by the Lord General to *Eſſex*-Houſe, where they found with him the *Scot's* Commiſſioners, and Mr. *Hollis*, Sir *Philip Stapleton*, Sir *J. Meyrick*, and divers others of his ſpecial Friends. After Civilities paſs'd, the Lord *London* Chancellor of *Scotland* ſpake to them, as followeth.

Mr. *Maynard*, and Mr. *Whitlock*,

The Chancellor of *Scotland's* Diſcourſe concerning the ſame.

I Can aſſure you of the great opinion both my Brethren and my ſelf have of your Worth and Abilities, elſe we ſhould not have deſired this meeting with you; and ſince it is his Excellency's pleaſure, that I ſhould acquaint you with the matter upon whilke your Counſel is deſired, I ſhall obey his Commands, and briefly recite the Buſineſs to you.

You ken vary weele that General Lieutenant *Cromwell* is no Friend of ours, and ſince the Advance of our Army into *England*, he hath uſed all underhand and cunning means to take off from our Honour and Merit towards this Kingdom; an evil Requital of all our Hazards and Services: But ſo it is, and we are nevertheleſs fully ſatisfied of the Affections and Gratitude of the gude People of this Nation in the General.

It is thought requiſite for us, and for the carrying on of the Cauſe of the Tway Kingdoms, that this Obſtacle or *Remora* may be removed out of the way, whom we foreſee will otherwiſe be no ſmall Impediment to us, and the gude deſign we have undertaken. For he not only is no Friend to us, and to the Government of our Church, but he is alſo no well-willer to his Excellency, whom you and we all have cauſe to love and honour; and if he be permitted to go on in his ways, it may, I fear, endanger the whole Buſineſs; Therefore we are to adviſe of ſome Courſe to be taken for prevention of that miſchief.

You ken vary weele the Accord twixt the Twa Kingdoms, and the Union by the Solemn League and Covenant, and if any be an *Incendiary* between the Twa Nations, how he is to be proceeded againſt: Now the matter is, (wherein we deſire your Opinions,) what you take the meaning of this word *Incendiary* to be? and whether Lieutenant General *Cromwell* be not like an *Incendiary* as is meant thereby? and whilk way wud be beſt to tak to proceed againſt him, if he be proved to be like an *Incendiary*, and that will clepe his Wings from ſoaring to the prejudice of our Cauſe. Now you may ken, that by our Law in *Scotland* we clepe him an *Incendiary*, whay kindleth Coals of Contention, and raiſeth Differences in the State to the publick damage, and he is *tanquam publicus Hoſtis Patriæ*: Whether your Law be the ſame, or not, you ken beſt who are Mickle Learned therein, and therefore with the favour of his Excellence, we deſire your Judgments in theſe Points.

To which *Whitlock* and *Maynard* ſeverally Anſwer'd, both to the ſame Effect, *viz.*

"That

20 *Caroli.*

Whitlock and and *Maynard's* Anſwer and Advice thereupon.

"That the word *Incendiary* is not much converſant in our Law, nor often met with in our Books, but more a term of the Civil Law, or of State, and ſo is to be conſidered in this Caſe: For the ſenſe of the word it was the ſame with us as his Lordſhip had expreſſed to be by the Law of *Scotland*, and which *ex vi Termini* it beareth, *viz.* one that raiſeth the fire of Contention in a State, or that kindles the Coals of Contention, and ſo it is taken in the Accord between the Two Kingdoms. Whether Lieut. General *Cromwell* be ſuch an *Incendiary* between theſe Two Kingdoms cannot be known but by proofs of his particular words or actions tending to the kindling this fire of Contention betwixt the Two Nations, and raiſing of Differences between us. If it can be made out by proofs, that he hath done this, then he is an *Incendiary*, and to be proceeded againſt for it by the Parliament, upon his being there accuſed for thoſe things: That it was not fit Perſons of ſo great Honour and Authority as the Lord General and Commiſſioners of *Scotland*, ſhould appear in any Buſineſs, eſpecially of an Accuſation, but ſuch as they ſhould ſee before-hand will be clearly made out, and brought to the effect intended, ſince if they ſhould be foil'd in a buſineſs of this weight, it would reflect upon their Honour and Wiſdom: That the Perſon againſt whom this Accuſation is, was to be conſidered in his preſent Condition and Parts, and Intereſt, touching which as to the Parliament, they were the more able to give their Lordſhips an Account by their conſtant attendance in the Houſe of Commons; and as for his Intereſt in the Army, his Excellency and other Gentlemen preſent, could beſt judge: That for their own parts they take Lieutenant General *Cromwell* to be a Gentleman of quick and ſubtle parts, and one who hath (eſpecially of late) gained no ſmall Intereſt in the Houſe of Commons; nor is he wanting of Friends in the Houſe of Peers, nor of Abilities in himſelf to manage his own part or defence to the beſt Advantage, therefore it would be requiſite to be well prepared againſt him before he be brought upon the Stage. That in their private Obſervations they do not know of any Particulars as will amount to ſo a clear proof as will ſatisfie the Houſe of Commons in the Caſe of Lieutenant General *Cromwell* (according to our Law, and in the courſe of proceedings in Parliament) that he is an *Incendiary*, and to be puniſhed accordingly. And therefore they adviſed to defer the Accuſation, and in the mean time collect what proof might be had of Particulars, and when the ſame were prepared they ſhould be the better able to adviſe, and their Lordſhips to judge, what will be fit to be done in this matter.

Which Advice, after ſome Debate, was followed, and the buſineſs laid by. But Mr. *Whitlock* adds, That *there was cauſe to believe, that ſome preſent at this Debate were falſe Brethren, and informed* Cromwell *of all that paſſed, which might make him carry on his deſigns more actively for his own Advancement.* And indeed it may well be preſumed he was not like to be behind-hand in Artifices for removing of thoſe that would have removed him.

But from whatever Grounds or Motives it ſprang, ſo it was that on the Ninth of *Decemb.* 1644, (the Parliament's Forces being then ſetled in their Winter Quarters, and moſt of the Commanders in Chief, who were Members of either Houſe of Parliament, being in Town) the Houſe of Commons took into Conſideration the ſad Condition of the Kingdom in reference to its Grievances by the Burthen of the War in caſe the Treaty for a Peace, which was then propounded (and of the ſucceſsleſs iſſue of which we have before in the former Volume given an Account) ſhould not take effect, nor the War be effectually proſecuted. After a long Debate of this matter, the Houſe Voted themſelves into a Grand Committee, where there was a general ſilence for a good ſpace of time, many looking one upon

The Houſe in a Grand Committee to conſider of the ſad Condition of the Kingdom by Continuance of the War, *Decemb.* 9th.

Ann. 1645.

upon another, to ſee who would break the Ice, and ſpeak firſt in ſo tender and ſharp a Point: Amongſt whom *Oliver Cromwell* ſtood up, and ſpake ſhortly to this effect.

Cromwell's Speech, Dec. 9th.

THAT it was now a time to ſpeak, or for ever to hold the tongue: The important occaſion being no leſs than to ſave a Nation out of a Bleeding, nay, almoſt dying condition, which the long continuance of the War had already brought it into; ſo that without a more ſpeedy vigorous and effectual proſecution of the War, caſting off all lingering proceedings like Soldiers of Fortune beyond Sea, to ſpin out a War, we ſhall make the Kingdom weary of us, and hate the Name of a Parliament. For what do the Enemy ſay? Nay, what do many ſay that were Friends at the beginning of the Parliament? even this, That the Members of both Houſes have got great Places and Commands, and the Sword into their hands, and what by Intereſt in Parliament, and what by power in the Army, will perpetually continue themſelves in Grandeur, and not permit the War ſpeedily to end, leſt their own power ſhould determine with it. This I ſpeak here to our own Faces, is but what others do utter abroad behind our Backs. I am far from reflecting on any, I know the worth of thoſe Commanders, Members of both Houſes who are yet in power; but if I may ſpeak my Conſcience without reflection upon any, I do conceive if the Army be not put into another Method, and the War more vigorouſly proſecuted, the People can bear the War no longer, and will enforce you to a diſhonourable Peace. But this I would recommend to your Prudence not to inſiſt upon any Complaint or over-ſight of any Commander in Chief upon any occaſion whatſoever; for as I muſt acknowledge my ſelf Guilty of Over-ſights, ſo I know they can rarely be avoided in Military Affairs; therefore waving a ſtrict inquiry into the Cauſes of theſe things, let us apply our ſelves to the Remedy which is moſt neceſſary: And I hope, we have ſuch true *Engliſh* Hearts, and zealous Affections towards the General Weal of our Mother-Country, as no Members of either Houſe will ſcruple to deny themſelves and their own private Intereſts for the publick Good, nor account it to be a diſhonour done to them whatever the Parliament ſhall reſolve upon in this weighty matter.

Another ſpake to this purpoſe.

The Subſtance of another Speech at the ſame time.

WHatever is the matter (which I liſt not ſo much to inquire after) two Summers are paſt over, and we are not ſaved: Our Victories (the price of Blood invaluable) ſo gallantly gotten, and (which is more pity) ſo Graciouſly beſtowed, ſeem to have been put into a Bag with holes; what we won one time, we loſt another: The Treaſure is Exhauſted, the Country's Waſted: A Summer's Victory has proved but a Winter's Story; the Game however ſhut up with Autumn, was to be new play'd again the next Spring; as if the Blood that has been ſhed, were only to manure the Field of War for a more plentiful Crop of Contention. Mens hearts have failed them with the Obſervation of theſe things; The Cauſe whereof the Parliament has been tender of Ravelling into. But Men cannot be hindred from venting their Opinions privately, and their Fears, which are various, and no leſs variouſly expreſs'd; concerning which I determine nothing, but this I would ſay, 'tis apparent that the Forces being under ſeveral great Commanders, want of good Correſpondency amongſt the Chieftains, has oftentimes hindred the Publick Service.

Vote that no Member ſhall Enjoy any Office Military or Civil, *Dec.* 9th.

But the firſt that moved expreſly to have all Members of Parliament Excluded from Commands and Offices was Mr. *Zouch Tate*; wherein he was ſeconded by Sir *Henry Vane* Jun. and others. The Debate laſted long, but in concluſion the Grand Committee came to this Reſolution, "That no Member of either Houſe of Parlia-"ment ſhall during the War Enjoy or Execute any Office or Com-"mand

20 *Caroli.*

" mand Military or Civil, and that an Ordinance be brought in to " that purpoſe.

Decemb. the 11*th* the ſaid Ordinance was Reported to the Houſe by the Committee appointed to draw up the ſame: And the ſame day a Faſt for imploring a Bleſſing on the intended New Model of the Army, appointed by the Commons (and next day agreed unto by the Lords) to be held on the Eighteenth of that Month, by both Houſes in *Lincolns*-Inn Chappel; no Strangers, nor ſo much as their own Attendants to be admitted. And in further relation to this Buſineſs of New Moulding the Armies, the Houſe of Commons Ordered, That Letters be ſent from that Houſe to all the Aſſociated Counties forthwith to make payment of their Forces, and to give an Account of what Moneys have come into the hands of their reſpective Treaſurers, and how diſburſed.

A Faſt *Dec.* 18.

The 12*th* of *Decemb.* a Petition was preſented to the Commons from many that ſtiled themſelves, Well-affected Citizens and Inhabitants within the Lines of Communication, *London*, taking notice of the great Care that Houſe had of the Commonwealth, and of the City in particular, expreſſing their Reſolution to aſſiſt them to the utmoſt of their power in proſecution of the Vote of *Monday*, *Decemb.* 9*th*.

The Houſe of Commons on the 14*th* took again the aforeſaid Ordinance into Conſideration, and for the freer Debate turn'd themſelves into a Grand Committee, wherein the ſame was canvaſſed very ſeriouſly on both ſides: The ſeveral Speeches of thoſe who were for promoting it, centring in the following Reaſons.

Reaſons given for this Vote and Self-denying Ordinance.

1. That upon paſſing this Ordinance the proceedings of their Armies would be more quick both in Determination and Action, when Commanders upon any diſcontent ariſing, ſhall have the leſs power to Sway and Bandy one againſt another.

2. If there be at preſent Differences between Commanders that are Parliament-men, and perhaps of ſeveral Houſes, by this Ordinance equal Juſtice is done, they are both recalled from Command, and by conſequence from further diſpute or difference, thereby preventing Diviſions in the Army, adminiſtring Advantages to the Enemy.

3. The Commanders will be the leſs able to make parties to ſecure themſelves when they have no Intereſt in the Houſes, and ſo become more eaſily removable or puniſhable, for their Neglects and Offences committed in the Army.

4. His Majeſty by his late Meſſage having acknowledged this to be the Parliament of *England*, both Houſes had need to be as full as they can; and by this Vote the Members taken off from other Imploys will be better able to attend the Publick Affairs in Parliament, to which they are called by Writ; and ſo the frequent Objection of the Paucity of Members at the paſſing of Votes will be prevented.

5. That by the New Model deſigned, the former Weights that obſtructed being taken off, the progreſs of the Army upon new Wheels will be more ſwift, and a ſpeedy period put to the War, which is the general deſire of the Nation.

6. Hereby the Objection, That the Members ſeek their own Profit, Honour and Power, will be prevented; when the World ſhall ſee them ſo ready to exclude themſelves from all Commands and Offices.

But

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But theſe Arguments did not ſatisfie divers Members, amongſt whom was Mr. *Whitlock*, who oppoſed the paſſing of the Ordinance in the Speech following.

Mr. *Whitlock's* Speech upon the Debate of the Self-denying Ordinance, 44.

Mr. *Speaker*,

I Am one of that Number of your Servants, who have no Office or Imployment but ſuch as you are about to except out of this Ordinance, nor have ambition for any; and therefore may the more freely and indifferently, yet with all Submiſſion, humbly offer my Reaſons againſt it, as that which I apprehend may prove prejudicial to your Service.

It hath been Objected that your Houſe, and the Houſe of Lords is thin and empty, and you the leſs eſteemed having ſo few Members here, many of them being imployed in Offices that they cannot attend the Houſes; but that by this Ordinance they will be at leiſure and liberty to attend the Service of the Parliament here, and the Houſes be much fuller than now they are.

I confeſs, Sir, this is fit to be remedied; but I apprehend you have a fitter way, than by this Ordinance to do it; that is, by iſſuing out new Writs for Electing new Members in the Places of thoſe who are dead, or expelled, and this will ſatisfie the Objection, and engage divers of Intereſt and Quality, the more immediately in your Service; whereas this Ordinance will diſcontent many, and the Houſes will be little the fuller by the paſſing of it.

Another Objection is, that if this Ordinance doth not paſs, the Treaty of Peace will not ſo well proceed, but the particular Intereſts of Members of Parliament may retard the ſame, but will all be taken away by this Ordinance.

I am to ſeek how this can be materially objected, when I ſuppoſe, whether this Ordinance paſs or not, yet you intend Members of Parliament to be your Commiſſioners for that Treaty, and in caſe ſome of them be Officers, they will the better underſtand your Buſineſſes, on which the Treaty will be grounded.

Another Objection is, That unleſs this Ordinance paſs, the great Work intended of New Modelling your Armies will not be ſo well carried on, for that by putting all out there will remain no exception.

I ſhould rather have argued, that by putting out all Members out of their Imployment, the exception and diſcontent would be the more General, and by leaving them ſtill in their Imployments, there would be the leſs Competition and Sollicitation for new Officers in their Rooms.

Another Objection or Argument is that the Members of Parliament, who are Officers, being of equal Power in Parliament will not be ſo obedient to your Commands as others who have ſmaller Intereſts, and would not ſo much diſpute one with another.

Surely, Sir, thoſe whoſe Intereſt is the ſame with yours, have the more reaſon to obey your Commands than others, and have more to hazard by diſobedience, than others can have, and in your Commands all your Members are involved, and it is ſtrange if they ſhould be backward to obey their own Orders.

Nor will the conteſts be ſo frequent and high between them and other Officers, as it will be between thoſe who will be of a more equal Condition.

But, Mr. *Speaker*, as you conſider the Inconveniencies, if this Ordinance do not paſs, ſo you will be pleaſed to conſider the Inconveniencies if it do paſs.

You will lay aſide, as brave Men, and who have ſerved you with as much Courage, Wiſdom, Faithfulneſs and Succeſs as ever Men ſerved their Country.

Our Noble Generals, the Earls of *Denbigh*, *Warwick*, *Mancheſter*, the Lords *Roberts*, *Willoughby*, and other Lords in your Armies, beſides thoſe in Civil Offices not excepted; and of your Members the Lord *Grey*, Lord *Fairfax*, Sir *William Waller*, Lieutenant General *Cromwell*, Mr. *Hollis*, Sir *Philip*

20 *Caroli.*

Philip Stapleton, Sir *William Brerton*, Sir *John Meyrick*, and many others muſt be layed aſide if you paſs this Ordinance.

And I am to ſeek, and doubt ſo will they be, to whom you ſhall refer the New Modelling of your Armies, where to find Officers that ſhall excel, if equal theſe.

If your Judgments are that for the Publick Service it will be expedient to remove any of them from their Commands, let the ſame (if you pleaſe) be plainly made known to them from you.

Let them have what they deſerve, your Thanks for their former good Services, and they will not be offended, that you having no more Work for them, do lay them aſide with Honour.

But to do a Buſineſs of this nature (as hath been well ſaid) by a ſide-wind, is in my humble opinion, not ſo becoming your Honour and Wiſdom, as Plainneſs and Gravity, which are Ornaments to your Actions.

I ſhall conclude with the Example of the *Grecians* and *Romans*, amongſt whom, Sir, you know that the greateſt Offices of War and Peace were conferred upon their Senators, and their Reaſons were becauſe they having greater Intereſts than others, were the more capable to do them the greateſt Service. And having the ſame Intereſt with the Senate, and preſent at their Debates, they underſtood their Buſineſs the better, and were leſs apt to break that Truſt, which ſo nearly concerned their private Intereſts which was involved with the Publick, and the better they underſtood their Buſineſs the better Service might be expected from them.

Sir, I humbly ſubmit the Application to your Judgment. Your Anceſtors did the ſame, they thought the Members of Parliament fitteſt to be imployed in the greateſt Offices: I hope you will be of the ſame Judgment, and not at this time to paſs this Ordinance, and thereby to diſcourage your faithful Servants.

The Ordinance paſs'd *Decemb.* 19. and ſent up to the Lords.

But after ſeveral Debates the Ordinance paſs'd the Houſe of Commons *Decemb.* 19. and on the 21*th* the ſame was ſent up to the Lords by Mr. *Pierpont*. But there it met with many delays, and much oppoſition, for their Lordſhips fell not into Debate of it till *Decemb.* 30. and then committed the Conſideration thereof to Eight Lords to Report their opinion thereof, and their Reaſons for the ſame; which being Reported to that Houſe, they on the 7*th* of *January* had a Conference with the Commons, and delivered in Reaſons in Writing againſt the paſſing that Ordinance, eſpecially for that the Honour of Peerage was (as they conceived) ſo much concerned therein; upon which the Commons appointed a Committee to prepare Reaſons to ſatisfie their Lordſhips concerning the ſame. And *Jan.* the 13*th* the whole Houſe of Commons with their Speaker went up to the Lords about the ſame Buſineſs. But the Lords the ſame day taking it into Debate, Rejected the Ordinance.

A Conference about it *Jan.* 7. 1645.

The Lords reject it, *Jan.* 15.

In the mean time, the Commons went on in forming a New Model of the Army, which they agreed ſhould conſiſt in the whole of One and twenty thouſand Men effective, *viz.* 6000 Horſe, 1000 Dragoons, and 14000 Foot: That the 6000 Horſe be divided into Ten Regiments: The Dragoons into Ten ſingle Companies: Every Regiment of Foot to conſiſt of at leaſt 1200 Men, and the whole Charge of this Army to be 44955 l. *per* Month, to be raiſed by Aſſeſſment proportionably throughout the Kingdom. On the 21*th* of *January*, the Commons proceeded to Nominate Commanders for their New Army, and appointed Sir *Tho. Fairfax* to be General, and Major *Skippon* to be Major-General. And on the 28*th* of *January* the Ordinance for Raiſing and maintaining of Forces under the Command of Sir *Tho. Fairfax* being compleated and paſſed by the Commons,

The Strength of the Army according to the New Model.

The Charge thereof.

Sir *Tho. Fairfax* named General, *Jan.* 21.

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mons, was ſent up to the Lords for their Concurrence; who read it twice and Committed it, *Febr.* 1. and on the 4*th* of the ſame Month returned; It paſſed their Houſes, but not without Additions, *viz.* That all Colonels, Majors, Captains, and other Officers in the Army be Nominated and approved of by both Houſes of Parliament: That all Officers and Soldiers ſhall take the National Covenant, and upon refuſal thereof to be for ever incapacitated: That the Lord Lieutenant of every County be of the Committee of that County as to this Ordinance, &c. Theſe Proviſo's occaſioned ſeveral Conferences between the Houſes, the Commons conſented, That Sir *Tho. Fairfax* ſhould nominate all the Officers in his Army to be taken out of any the Armies under the Command of the Parliament, and to be approved by both Houſes. As alſo that no Commanders ſhould be admitted, but ſuch as ſhould within twenty days take the Covenant. But could not agree with the Lords, That thoſe Perſons in the Army that make a ſcruple of Conſcience to take the Covenant (not out of any diſaffection to it, or to the Parliament) ſhould therefore by a Law be for ever made Incapable of ſerving in this Army, ſince it may happen they may hereafter be ſatisfied and take the ſaid Covenant. Whereupon the word *Incapable* was left out, and that Ordinance on the 15*th* of *February* was paſs'd as followeth.

An Ordinance of the Lords and Commons aſſembled in Parliament, for raiſing and maintaining of Forces for the Defence of the Kingdom, under the Command of Sir *Tho. Fairfax*, Knight.

BE it Ordained, and it is Ordained by the Lords and Commons in Parliament aſſembled, That there be forthwith raiſed and formed for the defence of the King and Parliament, the true Proteſtant Religion, and the Laws and Liberties of the Kingdom, an Army conſiſting of Six thouſand ſix hundred Horſe, to be diſtributed into Eleven Regiments, and of one thouſand Dragoons to be diſtributed into Ten Companies; and of Fourteen thouſand four hundred Foot, to be diſtributed into Twelve Regiments, each Regiment of Foot is to conſiſt of Twelve hundred, and each ſuch Regiment to be diſtributed into and to conſiſt of Ten Companies: Which ſaid Army ſhall be paid according to the Eſtabliſhment hereafter to be made by both Houſes of Parliament; and ſhall be under the immediate Command of Sir *Thomas Fairfax* Knight, who is hereby Conſtituted and Ordained Commander in Chief of all the Forces raiſed, or intended to be maintained, by virtue of this preſent Ordinance, and ſhall from time to time be ſubject to ſuch Orders and Directions as he ſhall receive from both Houſes of Parliament, or from the Committee of both Kingdoms.

II. And it is likewiſe Ordained, That Colonel *Philip Skipton* ſhall be Serjeant Major-General of all the Forces aforeſaid.

III. And it is further Ordained by the ſaid Lords and Commons, That the ſeveral Sums hereafter herein mentioned, ſhall from the firſt day of *February*, One thouſand ſix hundred forty four, be Taxed, levyed and paid for the maintenance and payment of the ſaid Army, and Charges incident in manner and form following, *Viz.*

IV. There ſhall be Monthly charged, until the firſt of *December* next, if the War ſhall ſo long continue;

Upon the City of *London* and the County of *Middleſex*, the Sum of Eight thouſand fifty nine Pounds and fifteen Shillings.

Upon the County of *Eſſex* Monthly the Sum of Six thouſand, ſeven hundred and fifty Pounds.

Upon the County of *Suffolk* Monthly, the Sum of Seven thouſand and ſeventy Pounds.

Upon the County of *Norfolk* Monthly, the Sum of Seven thouſand and ſeventy Pounds.

Upon the City and County of the City of *Norwich* Monthly, the Sum of Three hundred ſixty and ſix Pounds.

Upon the County of *Lincoln* Monthly, the Sum of Two thouſand and ſeventy Pounds.

Upon

20 *Caroli.*

Upon the County of *Hertford* Monthly, the Sum of Two thouſand four hundred thirty two Pounds and ten Shillings.

Upon the Iſle of *Ely* Monthly, the Sum of Seven hundred twenty eight Pounds thirteen Shillings and four Pence.

Upon the County of *Cambridge*, Monthly the Sum of Two thouſand, one hundred and ſeventy one Pounds, ſix Shillings and eight Pence.

Upon the County of *Huntington* Monthly, the Sum of one thouſand and twenty Pounds.

Upon the County of *Kent*, with the City and County of the City of *Canterbury*, and the Cinque-Ports Monthly, the Sum of ſeven thouſand and ſeventy Pounds.

Upon the County of *Surry* with the Burrough of *Southwark* Monthly, the Sum of two thouſand Pounds.

Upon the County of *Derby*, Monthly the Sum of five hundred and ſixteen Pounds.

Upon the County of *Suſſex* Monthly, the Sum of Three thouſand, nine hundred and twenty ſeven Pounds, fifteen Shillings and ſix Pence three Farthings.

Upon the County of *Rutland* Monthly, the Sum of one hundred and eighty four Pounds.

Upon the County of *Warwick*, Monthly the Sum of three hundred Pounds.

Upon the County of *Leiceſter* Monthly, the Sum of two hundred and fifty Pounds.

Upon the County of *Northampton*, Monthly the Sum of four hundred and fifty Pounds.

Upon the County of *Bedford* Monthly, the Sum of One thouſand Pounds.

V. And that the ſaid ſeveral Sums of Money may be duly Taxed, Levied and paid as is hereafter directed: Be it further Ordained by the ſaid Lords and Commons, that the ſeveral and reſpective Committees hereby appointed for the ſeveral and reſpective Cities, Counties, and places aforeſaid, ſhall within eight days next enſuing the Publication hereof, meet together at ſome convenient place, in every of the ſaid Cities, Counties, and Places reſpectively, and afterwards ſeven of them at the leaſt ſhall twice every Week at leaſt, meet at ſuch convenient Places, as they ſhall think fit and appoint for the more ſpeedy Execution of this Ordinance, and the ſaid reſpective Committees are hereby required, and authorized at the Days and Places of their firſt Meetings, to divide and apportion the ſeveral Sums of Money appointed by this Ordinance to be Levied for the Maintenance of the ſaid Army, upon the ſeveral and reſpective Wards, Diviſions, Hundreds, Lathes, and Wapentakes within the ſeveral Cities, Counties and Places aforeſaid, according to the uſual Proportions, and Diviſions of Rates in the ſaid Places, and likewiſe ſhall and may there agree to divide, and ſever themſelves for the better Execution of this Ordinance, into ſuch Wards, Hundreds, Places and Diviſions, within their reſpective Cities, Counties and Places, as to them ſhall ſeem expedient, and to take to their aſſiſtance for the more ſpeedy execution of the ſaid Service in the ſeveral Diviſions, ſuch able and ſufficient Perſons as they ſhall think fit, and to aſſemble and meet as often as to them ſhall ſeem good; and forthwith the ſaid Committees or any two or more of them reſpectively are hereby Authorized and required to direct their Warrants to ſuch number of Perſons as they ſhall think fit within their ſeveral and reſpective Diviſions to be Aſſeſſors of the ſaid Rates, which ſaid Perſons are hereby Authorized and required to aſſeſs all and every Perſon and Perſons, having any real or Perſonal Eſtate within the Limits, Circuits, and Bounds of their reſpective Diviſions, according to the Rate and Proportion in this Ordinance mentioned.

VI. And be it further Ordained, That the ſeveral and reſpective Committees in each of the ſeveral Counties, Cities and Places ſhall have power to aſſeſs and levy the ſeveral Sums before mentioned upon the Lands, Goods, Annuities, Rents, Offices, or other Eſtate, real or Perſonal in

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And to the end the ſaid Rates be equally and indifferently Aſſeſſed, and the Moneys duly collected, and true Accompt thereof made: The ſaid Aſſeſſors are hereby required within ſix days after ſuch Aſſeſſment made, to deliver one Copy of their reſpective Aſſeſſments fairly written and ſubſcribed by them unto the ſaid reſpective Committees; and the ſaid reſpective Committees are hereby Ordained and required to Sign and Seal three Duplicates of the ſaid reſpective Aſſeſſments, whereof one Duplicate the ſaid reſpective Committes are to deliver to the reſpective Collectors with Warrant to them to collect the ſaid Aſſeſſments; and one other Duplicate to ſuch Perſon or Perſons as the Houſes of Parliament ſhall afterwards appoint for the receiving of the Moneys to be Levied by virtue of this Ordinance; and the third Duplicate unto the Committee of Accompts of the Kingdom, who are hereby authorized to adminiſter an Oath to the Perſon that ſhall bring the ſaid Duplicates to the Committee for the Accompts, as hath been accuſtomed in the Court of *Exchequer* in caſe of the Eſtreats of Subſidies.

VII. And the ſaid ſeveral Committees, or any two of them are hereby reſpectively authorized from time to time to nominate one or more ſufficient and honeſt Perſons in every Diviſion or Allotment, to be Collectors of the ſaid Moneys ſo Aſſeſſed and Rated, which ſaid Collectors are hereby authorized and required to collect the ſaid Moneys ſo Aſſeſſed, and the ſaid Committee or any Six of them are hereby authorized to allow and pay to the ſaid reſpective Collectors, and their Sub-Collectors, one Peny apiece in the Pound for their pains in Collecting the ſaid Moneys, and one half Peny in the Pound to their Clerks for their pains in fair Writing the ſaid Aſſeſſments. And if any Perſon ſhall refuſe or neglect to pay any Sum of Money whereat he ſhould be Rated or Aſſeſſed, that then it ſhall and may be lawful to and for the ſaid Collectors or any of them to Levy the Sum ſo Aſſeſſed by Diſtreſs and Sale of the Goods of ſuch Perſons ſo refuſing or neglecting to pay, deducting the Sum Aſſeſſed, and the reaſonable Charges of Diſtraining, and reſtore the overplus to the Owners thereof; and to break open any Houſe, Cheſt, Trunk, Box, or other Thing, where any ſuch Goods are, and to call to their aſſiſtance any of the Trained Bands, or any other Forces within the Cities, Counties or Places where any reſiſtance ſhall be made, or any other Perſon or Perſons whatſoever; which ſaid Forces and Perſons are hereby required to be aiding and aſſiſting in the Premiſſes as they ſhall anſwer the contrary at their Perils. And if any queſtion or difference happen upon the taking of ſuch Diſtreſs between the Parties diſtrained, or diſtraining, the ſame ſhall be ended and determined by the ſaid Committees, or any two or more of them: And the ſaid ſeveral Committees, or any two or more of them, are hereby authorized to uſe ſuch other lawful ways or means for the ſpeedy Levying of the ſaid Aſſeſſments, as to them ſhall be thought fit. And if any Perſon or Perſons ſhall neglect or refuſe to pay his Aſſeſſment, and convey his or their Goods, or other Perſonal Eſtate, whereby the Sum of Money ſo Aſſeſſed cannot be Levyed according to this Ordinance; then the ſaid reſpective Committees, or any two or more of them, are hereby authorized to impriſon the Perſons, and Sequeſter the Eſtate of any ſuch Perſon, for the advancement of the ſaid Service; and the Tenants of all Houſes and Lands, which ſhall be Rated by Virtue of this Ordinance are hereby required and authorized to pay ſuch Sums of Money as ſhall be Rated upon ſuch Houſe and Lands, and to deduct out of their Rents ſo much of the ſaid Rates, as in reſpect of the Rents of every ſuch Houſe and Lands, the Landlords ſhould or ought to pay and bear, and the Landlords both mediate and imme-

immediate, according to their reſpective Intereſts are hereby required to allow ſuch Deductions and Payments upon the receipt of the reſidue of their Rents. And be it provided, That every Tenant paying the ſaid Aſſeſſment ſhall be acquitted and diſcharged for ſo much Money as the ſaid Aſſeſſment ſhall amount unto, as if the ſame had been actually paid, unto ſuch Perſon or Perſons, unto whom his Rents ſhould have been due and payable.

VIII. Provided alſo, and be it Ordained, That all Fee-Farm Rents due to his Majeſty, all Rents and other Sums reſerved by the *Court of Wards*, out of any Wards, Infants, or Lunaticks Eſtates, and all other manner of Rents, Payments, and Sums of Money, and all Annuities iſſuing out of any Lands within any City or County, ſhall be lyable towards the Payment of any Sum by this Ordinance to be Taxed and Levied. And all the Tenants of any Fee-Farm Rent, other Rent, Sums of Money, or Annuities as aforeſaid, are hereby directed and authorized to pay them proportionably, according to the Rates and Aſſeſſments by this Ordinance appointed and Ordained. And all ſuch Tenants ſhall be hereby ſaved and kept harmleſs by Authority of both Houſes of Parliament, from any further payment of ſuch proportion of any ſuch Rent, Rents, Sums, or Annuities, either to the *Exchequer*, to the Committee of the Revenue, to the *Court of Wards*, or to any other Perſon, or Perſons, to whom any ſuch Rent, Rents, Payments, Sums of Money, or Annuities as aforeſaid, ſhall or ought to be paid, to all intents and purpoſes whatſoever as fully, and as amply, as if they had paid the ſame into the *Exchequer*, to the Committee of the Revenue, the *Court of Wards*, or to any Perſon or Perſons, to whom the ſame is reſerved, and become due.

IX. And if any difference ſhall ariſe between Landlord and Tenant, or any other concerning the ſaid Rates; the ſaid ſeveral Committees, or any two or more of them, in their ſeveral Diviſions, have hereby power to ſettle the ſame, as they ſhall think fit.

X. And it is further Ordained, That if any Perſon, or Perſons, ſhall find him or themſelves agrieved, that he or they is, or are over-rated, and ſhall within ſix days after demand, make complaint to the Committees who Signed, or allowed his or their Aſſeſſment; The major part of the ſaid Committees ſhall have power upon Examination, within eight days after the Demand as aforeſaid to relieve ſuch Perſon or Perſons as they ſhall ſee cauſe. And the ſaid Collectors and every of them are hereby required from time to time, to pay ſuch Sum and Sums of Money as ſhall be by them collected by virtue of this Ordinance, to ſuch Perſon or Perſons as the Houſes of Parliament ſhall afterwards appoint for receiving of the Moneys to be Levied by Virtue of this Ordinance.

And be it further Ordained by the ſaid Lords and Commons, That if any Perſon or Perſons ſhall wilfully neglect or refuſe to perform his Duty in the due and ſpeedy Execution of this preſent Ordinance; the ſaid reſpective Committees, or any five or more of them, have hereby power to impoſe upon ſuch Perſon or Perſons ſo refuſing or neglecting their Duties, ſuch Fine or Fines as to them ſhall be thought fit; and cauſe the ſame to be Levied by Diſtreſs and Sale of Goods in manner and form aforeſaid. Provided, That no Fine to be impoſed by any of the ſaid Committees, ſhall for any one offence exceed the Sum of Twenty Pounds, to be paid for the Forces raiſed by virtue of this Ordinance. And that no Fine to be impoſed upon any Aſſeſſor, Collector, or other Perſon, to be employed by the ſaid Committees in the ſaid Service, ſhall for any offence exceed the Sum of Forty Shillings: And that no Priviledge, Place, or Perſon within the Cities, Counties and Places aforeſaid ſhall be exempted from the ſaid Aſſeſſments and Taxes.

XI. And be it further Ordained, That the ſaid ſeveral and reſpective Committees, and every of them, ſhall from time to time give a true and perfect account of all their doings and proceedings in the Execution of this Ordinance, to the Two Houſes of Parliament; or to ſuch Perſons as they ſhall appoint.

Ann. 1645.

XII. And be it further Ordained by the ſaid Lords and Commons, That every Captain both of Horſe and Foot, and every other Inferior and Superior Officer, or other, in the ſaid Army, whoſe Pay comes to Ten Shillings a day, or above, ſhall take but half the Pay due to him, and ſhall reſpite the other half upon the Publick Faith, until theſe unnatural Wars be ended. And every Officer or other that is to have Five Shillings a day, or above, and under Ten Shillings, ſhall accept of the two thirds of the Pay due to him, and ſhall reſpite one third part upon the Publick Faith, until theſe Unnatural Wars ſhall be ended. And when there is three Months Pay due to any of them, or more, a Certificate thereof from ſuch Perſon or Perſons as the Houſes of Parliament ſhall afterwards appoint for the receiving of the Moneys to be Levied by virtue of this Ordinance, ſhall be ſufficient to demand the ſaid Moneys owing upon the Publick Faith as aforeſaid.

Provided always, That ſuch Rates and Aſſeſſments that ſhall be made by virtue of this Ordinance, upon any Peers, Members, Aſſiſtants or Attendants upon either of the Houſes of Parliament for any Rate or Tax made within the Cities of *London* and *Weſtminſter*, or Lines of Communication, ſhall before the ſame be Levied, be preſented to the reſpective Houſes, where any Peer, Members, Aſſiſtants, or Attendants ſhall be concerned therein reſpectively, and by ſuch reſpective Houſe allowed and approved of; any thing in this Ordinance to the contrary notwithſtanding.

XIII. And it is further Ordained, That the Perſons hereafter named reſpectively ſhall be Committees for the ſeveral and reſpective Cities, Counties and Places hereafter mentioned, to put this Ordinance in Execution, in the ſeveral and reſpective Counties, Cities and Places for which they are hereby reſpectively appointed Committees. *Viz.*

XIV. Provided, that from and after the firſt of *February* 1644, no more "Money ſhall be raiſed upon the reſpective Counties of *Suſſex*, *Surry*, "and *Kent*, by virtue of any former Ordinance of Aſſociation, than "what the Committees of the ſaid Counties reſpectively ſhall raiſe, for "paying of Arrears due upon any former Ordinance for paying the re"ſpective Gariſons in the ſaid Counties, according to the Eſtabliſhment "of the ſaid Gariſons, and for paying ſuch Forces for the defence of "their Counties, as the reſpective Committees and Deputy Lieutenants, "or the major part of them ſhall think fit.

XV. Provided that the Commander in Chief nominated in this Ordinance ſhall have power to nominate all Colonels, Lieutenant Colonels, Serjeant Majors and Captains out of any of the Forces under the Command of the Parliament to be approved of by both Houſes of Parliament.

Provided further that all Commanders and Officers that ſhall be imployed in this Army, and to be approved of by both Houſes of Parliament as aforeſaid ſhall take the National League and Covenant of both Kingdoms within twenty days after they ſhall be Liſted in the ſaid Army, which Solemn League and Covenant ſhall be tendered as aforeſaid unto all the Officers before mentioned by ſome Miniſter whom the Commander in Chief ſhall chuſe in the Preſence of him the ſaid Commander in Chief, or the Major-General: And a return to be made by them unto the Two Houſes of Parliament from time to time of the Names of all ſuch as ſhall take the ſame; and all ſuch as ſhall refuſe to take the Solemn League and Covenant, ſhall upon their refuſal be diſplaced, and ſhall not be admitted to any Office or Command in the ſaid Army, until they ſhall have taken the ſaid Solemn League and Covenant, in manner and form as aforeſaid, and ſuch their Conformity certified and approved of by both Houſes of Parliament.

XVI. And be it Ordained, That all Common Soldiers of this Army ſhall likewiſe take the ſame at ſuch time and in ſuch manner as ſhall be in that behalf directed by both Houſes of Parliament.

XVII. Provided alſo, That every Lord Lieutenant who is not diſabled by Ordinance of Parliament to ſit in the Houſe of Peers, ſhall in their

ſeveral and reſpective Counties, be of the Committee now appointed by this Ordinance.

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XVIII. Provided further, That all Arrearages due upon the ſeveral Ordinances of Weekly Aſſeſſments for the Seven Aſſociated Counties of *Norfolk*, *Suffolk*, *Lincoln*, *Cambridge*, *Eſſex*, *Hertford*, and *Huntington*, which are yet Unlevied ſhall be Levied according to the ſaid ſeveral Ordinances, notwithſtanding the Expiration of the ſaid Ordinances by which they were due, and notwithſtanding this Ordinance, or any thing therein contained to the contrary.

Sir *Tho. Fairfax* being ſent for, is brought into the Houſe, *Febr.* 19.

An Expreſs being ſent to Sir *Tho. Fairfax* to invite him to come up to the Parliament; He on *Febr.* 18. came to *London* in a private manner, accompanied only with Col. Sir *William Conſtable*, Col. *Rigby*, Col. *Sandys*, Col. *Alured*, and ſome few other Officers. And next day the Houſe of Commons ſending Four of their Members to him, he was by them Conducted into the Houſe, where a Chair was placed for him, but he modeſtly refuſed it, and ſtood bare whilſt the *Speaker* told him what he had in Command from the Houſe to deliver unto him, which was,

The Subſtance of the *Speaker's* Speech to Him.

" That that Houſe out of the great Experience and Confidence they " had of his Valour, Conduct, and Fidelity, had thought fit to confer " the great Truſt of Commanding their Armies in Chief upon him: " And giving him Thanks in the Name of the Houſe for his many and " great Services paſt, encouraged him to go on as he had begun, aſſu- " ring him of the Care and Protection of the Parliament in the diſ- " charge of that weighty Truſt which the Kingdom repoſed in him.

The Commons Complement the Lords, *March* 18.

But in the approving the Liſt of Sir *Thomas's* Officers there was like to be a difference between the Two Houſes, but after ſeveral Conferences the Peers, *March* 18. concurred without making any Alteration at all, which was ſo acceptable to the Commons, that they ſent a Congratulatory Meſſage to the Lords, and to aſſure them of the real Affection and Endeavours of the Houſe of Commons to ſupport their Lordſhips in their Honours and Priviledges.

The Liſt of the Officers of the New-Model'd Army.

Sir *Tho. Fairfax* Commander in Chief. Major-General *Skippon.*

Names of the Colonels both Horſe and Foot, firſt appointed in this New Model.

Officers of Horſe,		Officers of Foot,	
Col.	*Middleton.*	Col.	*Crayford.*
	Sidney.		*Berkley.*
	Graves.		*Aldridge.*
	Sheffield.		*Holborn.*
	Vermaden.		*Forteſcue.*
	Whaley.		*Ingoldsby.*
	Sir *Mich. Liveſey.*		*Montague.*
	Fleetwood.		*Pickering.*
	Roſſiter.		*Welden.*
	Sir *Robert Pye.*		*Rainsborow.*

An Ordinance for calling Members from Civil and Military Offices, read in the Commons Houſe, *March* 24.

March the 24*th* the Commons Reaſſumed the Debate of an Ordinance (the ſame in effect with that before Rejected by the Lords, but with ſome Alterations) for calling in the Members of both Houſes from Military and Civil Places and Offices, which was Read a firſt and ſecond time, and Committed.

The

Ann. 1645. Ordinance for *Fairfax's* Commiſſion paſs'd the Commons, *March* 24.

The ſame day they took into Conſideration the Commiſſion to be given to Sir *Tho. Fairfax*, and to that purpoſe an Ordinance in the nature of a Commiſſion was alſo read the firſt and ſecond time, and Ordered, That ſome Members of the Houſe ſhould preſently withdraw, and make ſome Alterations in a Clauſe therein, and to Report before the Riſing of the Houſe, which being done accordingly, it was Read the third time, and paſſed the ſame Morning, and ordered to be ſent up to the Lords for their Concurrence.

A Conference for puniſhment on ſuch as raiſe falſe Reports to ſet Variance between the Two Houſes.

Likewiſe a Meſſage was ſent to the Lords to deſire a Conference, which being agreed to, Sir *John Evelyn* Jun. in the Name of the Commons Houſe declared to their Lordſhips to this effect: That when the Commons received the laſt Meſſage, and Satisfaction from their Lordſhips, in paſſing the Liſt of the Officers for Sir *Thomas Fairfax's* Army, the Houſe of Commons took ſpecial notice, that their Lordſhips deſired, that all united Correſpondency might be between both Houſes, and that he was now commanded by the Houſe of Commons to expreſs their deſire of an happy Concurrence, being very ſenſible, that it was the greateſt Endeavour of ſome Perſons ill affected to foment diſcontents, and to Report that the Houſe of Commons aimed to undermine their Lordſhips Priviledges, which Intention they diſclaimed and abhorred. Alſo that they did acknowledge the many Noble and Renowned Actions performed by their Lordſhips Anceſtors in defence of the Liberty of the Commons, and did take notice of the Labours and unwearied Endeavours of their Lordſhips in aſſiſting them in the preſent great Affairs of the Kingdom, for the ſafety of it, without reſpect to themſelves, or their particular Safeties, and wiſhed that puniſhment might be inflicted on thoſe that endeavoured to raiſe up ſuch a confuſion as muſt enſue the disjoining or putting variance between the Two Houſes, againſt which the Commons did proteſt, and therefore deſired, That their Lordſhips would concur with them to find out the Raiſers and Spreaders of ſuch falſe and miſchievous Reports.

Then a Declaration of the Houſe of Commons was Read to this effect:

Commons Declaration of their reſpects to the Lords.

That whereas many diſaffected Perſons had endeavoured to foment Jealouſies and Diviſions, by raiſing a Report, That the Houſe of Commons had an intention to ſubvert the Peerage of *England*; The Houſe of Commons do declare, that they do ſo far deteſt any ſuch deſign or intention, that they will uſe all poſſible means for the diſcovery of the Authors of ſuch Report, and to bring them to condign puniſhment. And do further declare, That as they have bound themſelves by ſeveral Proteſtations, ſo they will ever be as tender and careful to maintain the Honour and Rights of the Peerage of *England*, as their own.

Which Declaration being read was left with their Lordſhips.

March 31. The Ordinance for calling in of the Members from all their Military and Civil Offices, being read a third time, was ſent up to the Lords.

The Lords paſs the Ordinance, Commiſſionating Sir *Tho. Fairfax*, Apr. 1.

Apr. 1. At a free Conference of both Houſes, Reaſons being given by the Commons for the ſpeedy paſſing the Ordinance Commiſſionating Sir *Thomas Fairfax*, the Lords returned to their Houſe, and paſſed the ſame without any Alterations: The purport of which

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which Ordinance was to Conſtitute Sir *Thomas Fairfax* Commander in Chief of the Army, and them to lead againſt all Rebels, Traytors, and other common Enemies, and them to kill and ſlay, *&c.* Alſo giving him power to Exerciſe Martial Law, according to the Rules of War; and the Laws and Ordinances confirm'd this preſent Parliament, which were to be read in the Head of his Army. Likewiſe that he ſhould have Command over all Caſtles, Gariſons, or Towns Fortified, or to be Fortified, not removing or diſplacing the Governours. That he ſhould have power to nominate a Provoſt Marſhal, or Marſhals for the Executing his Commands, and to Command Waggons, Carts, or Boats, for the Carriage of his Ordinance, Ammunition, or Proviſions as there ſhall be occaſion, *&c.*

Officers not Imployed to have their Arrears.

Furthermore the Commons took into Conſideration the Officers not Imployed under Sir *Thomas Fairfax*, and Ordered that all ſuch Officers, upon Certificate of their good Carriage from Major-General *Skippon* ſhall have their Arrears Audited, allowed and paid.

General *Eſſex*, the Earl of *Mancheſter*, and the Earl of *Denbigh*, Surrender their Commiſſions, *Apr.* 2.

Apr. 2. The Lord General *Eſſex*, the Earl of *Mancheſter*, and the Earl of *Denbigh* in the Houſe of Peers offered to Surrender their reſpective Commiſſions, which was accepted and approved of by that Houſe, who thereupon deſired a Conference with the Commons, where a Paper was read preſented by the Earl of *Eſſex* to this effect; *That he having been imployed for almoſt three years paſt as Lord General of all the Parliament's Forces raiſed for the defence of the King, Parliament, and Kingdom; which Charge he had endeavoured to perform with all fidelity and ſedulity; yet conſidering by the Ordinances lately brought up to the Houſe of Peers, that it would be advantagious to the Publick, he deſired to lay down his Commiſſion, and freely to render it into the hands of thoſe from whom he received it, and deſired that ſuch of his Officers as have been faithful in their Places, and ſhould now be left out, might have a conſiderable part of their Arrearages paid unto them in as convenient time as both Houſes of Parliament ſhould think fit, and Security by the Publick Faith for the Payment of the reſt. And whereas there were three of the Officers fallen into the ill opinion of the Honourable Houſes, he moved that they might be brought to a ſpeedy Trial, that ſo either their Innocency might be manifeſted, or they might ſuffer condign puniſhment according to their Demerits.*

A Paper of the Earl of *Eſſex*'s read.

Likewiſe at the ſaid Conference there was read and left with the Commons a *Declaration* of this Import, *Viz.*

A Declaration of the Lords that this Surrender is an acceptable Service, and a Demonſtration of the Fidelity of thoſe three Lords.

THAT whereas the Earl of *Eſſex*, Earl of *Mancheſter*, and the Earl of *Denbigh*, had this day in the Houſe of Peers laid down their Commiſſions, the ſaid Houſe doth declare, That they do eſteem it an acceptable Service in this Conjuncture, and an evident Demonſtration of the Fidelity and Care theſe three Honourable Lords have to the Publick, and therefore this Houſe does deſire the Houſe of Commons to concur with them therein, for that as they had received their Commiſſions from both Houſes of Parliament, ſo they laid down their Power into thoſe hands from which they received it: And they likewiſe moved, That a courſe may be taken for the Payment of their Officers Arrears.

The Self-denying Ordinance paſs'd the Lords.

Eſſex and theſe other Lords being thus by their own Conſent laid aſide from the Army, the Self-denying Ordinance was next day freely paſs'd by the Peers, as follows.

Die

Ann. 1645.

Die Jovis 3. Aprilis, 1645.

An Ordinance of the Lords and Commons Aſſembled in Parliament, for the Diſcharging of the Members of both Houſes from all Offices both Military and Civil.

The Self-denying Ordinance, *Apr.* 3. 1645.

BE it Ordained by the Lords and Commons Aſſembled in Parliament, That all and every of the Members of either Houſe of Parliament ſhall be, and by Authority of this Ordinance are Diſcharged at the end of forty days after the paſſing of this Ordinance, of and from all and every Office or Command Military or Civil, granted or conferred by both or either of the ſaid Houſes of this preſent Parliament. Or by any Authority derived from both or either of them ſince the 20*th* day of *Novemb.* 1640.

And be it further Ordained, That all other Governours and Commanders of any Iſland, Town, Caſtle, or Fort, and all other Colonels and Officers inferior to Colonels in the ſeveral Armies, not being Members of either of the Houſes of Parliament, ſhall according to their reſpective Commiſſions continue in their ſeveral Places and Commands, wherein they were imployed and intruſted the 20*th* day of *March* 1644, as if this Ordinance had not been made. And that the Vice-Admiral, Rear-Admiral, and all other Captains, and other inferior Officers in the Fleet, ſhall according to their ſeveral and reſpective Commiſſions continue in their ſeveral Places and Commands, wherein they were imployed and intruſted the ſaid 20*th* day of *March*, as if this Ordinance had not been made.

Provided always, and it is further Ordained and Declared, That during this War, the Benefit of all Offices, being neither Military nor Judicial, hereafter to be granted, or any way to be appointed to any Perſon or Perſons by both or either Houſe of Parliament, or by Authority derived from thence, ſhall go and inure to ſuch Publick Uſes as both Houſes of Parliament ſhall appoint. And the Grantees and Perſons executing all ſuch Offices ſhall be accountable to the Parliament for all the Profits and Perquiſites thereof, and ſhall have no profit out of any ſuch Office, other than a Competent Salary for the Execution of the ſame in ſuch manner as both Houſes of Parliament ſhall Order and Ordain.

Provided that this Ordinance ſhall not extend to take away the Power and Authority of any Lieutenancy or Deputy-Lieutenancy in the ſeveral Counties, Cities, or Places, or of any *Cuſtos Rotulorum*, or of any Commiſſion for Juſtices of Peace, or Sewers, or any Commiſſion of *Oyer* and *Terminer*, or Goal-delivery.

Provided always, and it is hereby declared, That thoſe Members of either Houſe, who had Offices by Grant from his Majeſty before this Parliament, and were by his Majeſty diſplaced ſitting this Parliament, and have ſince by Authority of both Houſes been reſtored, ſhall not by this Ordinance be Diſcharged from their ſaid Offices or Profits thereof, but ſhall enjoy the ſame; Any thing in this Ordinance to the contrary thereof notwithſtanding.

Fairfax to *Windſor*, Apr. 3.

The ſame third of *April* Sir *Thomas Fairfax* went from *London* to *Windſor*, where he appointed his General Rendezvous, having cauſed Proclamation to be made throughout *London*, for all Officers and Soldiers under his Command to give their Attendance there on *Monday* the 7*th*; and there he continued till the laſt of that Month, diligently buſie in Modelling his Army, wherein he was to Encounter the Diſcontents of thoſe that were reduced under New Commanders, and of thoſe that wholly went off from Imployment. And beſides fitting the Train for the Field, and the Attendance of the Recruits from *London*, an intire New Form was to

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to be Introduced into the whole Army, the Forces that remained of the Old Army being not only to be Recruited but reduced into New Companies and Regiments, as if they had been newly raiſed.

In this work Major General *Skippon* did much aſſiſt him, who on *Saturday* the ſixth of *April*, being come to *Reading*, where were Quartered five Regiments of the Earl of *Eſſex*'s Forces, late Lord General, and five Companies of the Lord *Roberts*'s, he cauſed them to be drawn out into the Field, and in the Head of that which had been his Excellency's Regiment, firſt made the Speech following,

Gentlemen and Fellow-Soldiers all,

Skippon's Speech to the Soldiers, *Apr. 6th.*

I Am now to acquaint you with the Commands of Parliament, to which in Conſcience to God, and Love to our Country, we are bound to give all chearful and ready Obedience. There is a neceſſity lyes upon us (ſince three Armies are to be reduced into one) that ſome Commanders and Officers muſt go out of their Imployments wherein they now are; it is not out of any Perſonal diſreſpect to any of you that ſhall now go off, therefore I hope you will behave your ſelves accordingly. I have received order from the Houſe of Commons to take notice what the Comportment ſhall be of thoſe who muſt now go off, and to certifie unto them: I know you will behave your ſelves like Men of Honour and Honeſty (as indeed you are) and that I ſhall have no cauſe, but to make a good Report of you, which I ſhall do according to your Carriage in this Reducement, both to the *Speaker* of the Honourable Houſe of Commons, and the Committee of both Kingdoms, and that particular Committee which are appointed to take you into Conſideration, and to take in your Accompts, and pay you part of your Arrears at preſent, and for the reſt, you are to have a *Debentur* upon the Publick Faith of the Kingdom. But if there ſhall be any among you, who out of any Perſonal reſpect, or private diſcontent ſhall make any diſturbance in this reducement, ſo as to obſtruct or hinder a work of ſo publick Concernment, I ſhall not fail to give him his true Character to the State, without Perſonal reſpect to any: And therefore let no Man deceive himſelf, for although he may perhaps occaſion ſome trouble in the preſent Buſineſs, yet in the iſſue, the greateſt miſchief will fall upon him himſelf: But I hope I ſhall find none ſuch here. There is (at preſent) a Fortnight's Pay to be paid to ſuch Officers as ſhall go off, which they ſhall preſently have upon their Muſter: And as for the Officers and Soldiers that are continued, (as ſoon as they ſhall be Muſtered and Liſted) they alſo ſhall have a Fortnight's Pay; and there are Clothes come down for the Soldiers already in part, and I aſſure you, that upon my Life and Honour there are more providing, and you ſhall be all furniſhed with Coats, Breeches, Stockings, Shoos, and ſuch Arms as you ſhall ſtand in need of, with all good uſage and conſtant Pay. And that as I have been with you hitherto, ſo upon all occaſion of Service to my God and Country, I ſhall by the help of God, be willing to live and die with you.

This Speech, and the great Eſteem the Officers and Soldiers in general had for *Skippon*, had ſuch Influence, that all freely ſubmitted, and thoſe five Regiments, and five Companies, were reduced into three Regiments; which work being happily effected on that Regiment which was the late General's, and ſo like to prove moſt refractory, eſpecially for that they were Quartered in a Frontier Garriſon ſo near the King's Quarters, which made the matter more hazardous; they, I ſay, being ſo quietly reduced, ſet an Example to the reſt in other Places, ſo that in a ſhort time the whole Army was brought into the New deſigned Model, notwithſtanding that at this time *Dalbeer* with eight Troops of Horſe, ſtood at a di-

Ann. 1645. ſtance, inſomuch as he and they were expected at *Oxford*, but at laſt ſubmitted to the Parliament.

But before we follow the Army to Action, it may be ſome ſatisfaction here to exhibit a Scheme of the Poſture of Affairs at that time, or the Strength and Advantages of each Party, as follows.

The State of the Kingdom as to the Strength of his Majeſty, and that of the Parliament in the beginning of May 1645, *Exhibited in Two Tables: The one ſhewing unto what Counties, Cities, Towns, Caſtles, and Places of Strength the King's Forces reached and Gariſoned, as alſo the Field-Forces his Majeſty had to maintain the ſame, and to Enlarge his Quarters.*

The other ſhewing what Forces, Gariſons or Places of Strength the Parliament had to Ballance the ſame.

In two Diviſions, the one containing the Weſtern Counties. The other the Midland Parts.

The Firſt Diviſion.

In *Cornwall*	THE whole County intire to himſelf, with the Places of Strength therein, well Fortified and Manned, *viz.* The *Mount*, the Strong Caſtle of *Pendennis*, *Dennis* Fort, and *Helford* Fort, which Commanded the Commodious Harbour of *Falmouth*; the Gariſons of *Foy*, *Salt-aſh*, *Mount Edgecombe*, and *Lanceſton*; beſides his Majeſty kept ſome Forces at *Padſtow*, and *St. Ives*.	In *Cornwall*	The Parliament had Neither Field-Force, Port-Town, nor Inland Gariſon, and beſides the People were generally diſaffected to the Parliament.
In *Devon*	All *Devon* intire to himſelf, (except *Plimouth* only) and therein theſe Conſiderable Gariſons well Fortified and Manned, *viz.* *Exceſter*, *Barnſtable* and *Dartmouth*, the Fort at *Exmouth*, *Pouldram* Caſtle, Fort *Charles* at *Salcombe*, *Iſordſcombe*, *Hopton's* Fort, and the other Forts before *Plimouth*, *St. Budeax*, the Gariſon at Sir *Francis Drake's* Houſe, *Peymouth*-Houſe, *Barley*-Houſe, and *Inch*-Gariſon.	In *Devon*	*Plimouth* only, and that Beſieged, not any Inland Gariſon.

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The King had		The Parliament had	
in *Somerſet*	All in his Power, (except *Taunton* only, which was then ſtrait Beſieged by him) and in that Country the ſtrong Gariſons of *Briſtol* and *Bridgwater*, *Bath*, *Lamport* Burrough, *Numny* Caſtle, *Portſhead* Point, *Ilcheſter*, *Chidiak*-Houſe, and *Farley* Caſtle.	in *Somerſet*	*Taunton*, the only Inland Gariſon, cloſe Beſieged at that time, and in great diſtreſs for want of Relief.
in *Dorſet*	*Portland* Caſtle, and the Iſland there, *Corf*-Caſtle, and *Sherburn*-Caſtle.	in *Dorſet*	The Port-Towns of *Pool*, *Lyme*, and *Weymouth*.
in *Wilts*	The Gariſons of the *Devizes*, *Laicock*-Houſe, *Langeford*-Houſe, and *Highworth*.	in *Wilts*	*Malmesbury* - Caſtle only.
in *Hants*	The ſtrong Gariſon of *Baſing* and *Winchceſter*.	in *Hants*	The Gariſon of *Portſmouth*, *Southampton* and *Chriſt-Church*, Port-Towns.
in *Berks*	*Farrington*, *Wallingford*, *Dennington*, and *Radcot*.	in *Berks*	*Abingdon*, *Reading* and *Windſor*.
in *Oxford*	The City of *Oxford*, the *King's-head* Gariſon, *Banbury*, *Woodſtock*, *Gaunt*-Houſe, *Blechingdon*-Houſe, and *Godſtowe*.	in *Oxford*	*Henly* Gariſon.
in *Bucks*	*Borſtall*-Houſe Gariſon.	in *Bucks*	*Aliſbury*.

The King's Field-Force for the WEST.

THE King's Field-Forces for the ſecuring theſe Weſtern Counties, and Gariſons even from *Oxford* to the *Mount* in *Cornwall*, under the Command of the Lord *Goring*, the Lord *Hopton*, Sir *Richard Greenvile*, and Major General Sir *John Digby*, Brother to *George* Lord *Digby*, may modeſtly be computed to be in Number above 100000 Horſe and Foot, beſides their ſeveral Gariſons ſecured; as may eaſily be credited, if it be conſidered, the

The Parliament's Field-Force for the WEST.

THE Parliament (not thinking it ſafe to ſpare the New raiſed Army under his Excellency Sir *Thomas Fairfax*, to attend the Great Buſineſs of the Weſt, and leave the Parliament, City and Aſſociation, without a Guard, and the Royal Army about *Oxford* unattended:) deſigned only the remaining Regiments of the Earl of *Eſſex*'s, and Sir *William Waller*'s Horſe, which were not reduced into the New Model to buſie the Enemy in the

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great Force they had before *Taunton*, during the two ſtrait Sieges thereof, and the many Men they loſt in both thoſe Services, and yet with what a conſiderable Army they were at *Lamport*, when they were Beaten there, and at the ſame time alſo maintaining the Siege before *Plimouth* with a conſiderable Force.

Beſides, his Highneſs Prince *Charles* was then in Perſon in the *Weſt*, raiſing new Forces, whoſe Preſence had ſuch Influence in thoſe Parts, eſpecially on the *Club-men*, (who were thereby made bold in their Meetings, and receiv'd Commiſſion under his Hand and Seal, to form themſelves into Regiments) that it was no ſmall addition of Reputation to that Army.

Weſt, *viz.* of Sir *William Waller*'s, Col. *Cook*'s, Col. *Fitz-James*, Col. *Popham*, and the *Plimouth* Regiment; of the Earl of *Eſſex*'s Forces, the Relicts of Col. *Bears*, and Col. *D'albiers* Regiments, under Lieutenant Colonel *Buller* Aſſigned over to Major General *Maſſy*, which Regiments were formed into a Brigade, and deſigned under the Command of Major General *Maſſy* for the Weſtern Parts, but a little before the Battel at *Naſeby*.

The Second Diviſion.

In the County of	The King had	In the County of	The Parliament had
Hereford	THAT Country intirely to himſelf, with the Gariſons of *Hereford*, *Gotheridge*, and *Canon Frome*	*Hereford*	No Gariſon-place of Strength, nor Field-Force.
Worceſter	The City of *Worceſter*, *Eveſholme* Gariſon, and *Hartlebury* Caſtle.	*Worceſter*	*Hawkſworth*-Caſtle only.
Salop	The Gariſons of *Ludlow-Bridge*, *North Dayly*, *Shrawarden* Caſtle, *Caes*-Caſtle, *Morton*-*Gorbet*-Houſe, *Stockley*-Caſtle, *Rowton*-Caſtle, *Linſell* Manour, *Apley*-Houſe, *High Orchall*, *Carew*-Caſtle, *Embleden* Caſtle.	*Salop.*	*Shrewsbury*, *Wem*, and *Oſweſtree*.
Stafford.	The ſtrong Gariſons of *Lichfield* and *Dudley*, and *Burton* upon *Trent*.	*Stafford*	The Gariſon of *Stafford*.
Cheſter.	The City of *Weſtcheſter*, *Beeſton*-Caſtle, *Hawarden*, Caſtle.	*Cheſter*	*Nampwich* only.
Leiceſter	The Gariſon of *Aſhby-de-la-Zouch*.	*Leiceſter*	*Leiceſter* Town, ſhortly after taken by Storm.
Lincoln.	*Belvoir*-Caſtle.	*Lincoln*	*Lincoln* City, *Trow-Land*-Gariſon, *Hougham* Gariſon, *Burleigh*. *Notingham*

21 *Caroli.*

Notingham	On this ſide of *Trent* the ſtrong Gariſon of *Newark*, *Shelford*-Houſe, and *Wiverton*.	*Notingham*	The Town and Caſtle of *Notingham*.

	The King had		The Parliament had
In *Warwick*	All *North-Wales*, and *South-Wales*, with all the Strong Gariſons of *Ragland*, *Monmouth*, *Cheſtow*, *Flint*-Caſtle, *Holt-Caſtle*, *Denbigh*, *Aberiſtwith*, *Abercomway*, *Caermarthen*, *Carnarven* Town and Caſtle, *Harlatt*-Caſtle, *&c.*	*Warwick*	*Warwick*-Caſtle.
Northampton		*Northampton*	Intirely the Parliaments.
Wales.		*Wales*	*Pembroke* Town and Caſtles in *South-Wales*, and *Montgomery*-Caſtle in *North-Wales*.

The Kings Field-Forces for the Midland-*Counties.*

THE Field-Forces which the King had for the ſecuring of theſe *Midland*-Counties and Gariſons, *&c.* were,

1. The Royal Army, Countenanced by the King's own Preſence in it, Commanded by Prince *Rupert* and Prince *Maurice*, which was that Army which fought his Excellency Sir *Thomas Fairfax* his Army at *Naſeby*, the King in Perſon at that Fight.

2. Beſides the King had a very conſiderable Force of Horſe and Foot in *Wales*, under the Command of the Lord *Gerrard*.

3. And alſo a good Strength of Horſe under Col. *Devilleer*, Sir *William Vaughan* and others.

4. And likewiſe had ſtrong Parties of Horſe, attending the Gariſons of *Cheſter*, *Ludlow*, *Bridge-North*, *Leichfield*, *Worceſter*, *Dudley*, *Newark*, and *Hereford*, which upon any deſign met together, and were a formidable Force.

The Parliament's Field-Forces for the Midland-*Counties.*

THE Parliament had to Ballance this Royal Army in the *Midland*-Parts, the New Model, far ſhort of its intended Number of 21000 under the Command of his Excellency Sir *Thomas Fairfax* (part whereof were, as ſoon as they marched into the Field, ſent to *Taunton*) the only Inland Gariſon the Parliament had in the Weſt of *England*, to raiſe the Siege there, and relieve that Place, that otherwiſe had been loſt) which was no ſooner done, but *Goring*, *Hopton*, and *Greenvile*, joyn all their Forces together, made a great Army, and Beſieged the Town again, and therein that Brigado that relieved it, diſtreſſing them much for Forage and Proviſions. The reſt of the Army, after the relief of *Taunton*, were allotted to his Excellency to Guard the Parliament, City and Aſſociation, and therewith to attend the motions of the Royal Army; and our Beſieged Friends and Brigade in *Taunton* muſt not be neglected neither. There were ſome other Forces belonging to Gariſons, which upon occaſion might be aſſiſting to the Parliament, *viz.* thoſe under Major General *Langhorne* in *South-Wales*, Sir *Thomas Middleton* in *North-Wales*, thoſe under Major General *Mitton* in *Shropſhire*, Sir *William Brereton* in *Cheſhire*, the *Staffordſhire*, *Warwickſhire*, and *Northamptonſhire* Horſe, and the Horſe

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Horſe of this Army under Col. *Roſſiter* in *Lincolnſhire*, Sir *John Gell* in *Derbyſhire*, and Col. *Norton* in *Hampſhire*.

Beyond *TRENT.*

THE Battel at *Marſton-Moor* Divided thoſe Parts for the Parliament; yet there remained of Gariſons, belonging to the King unreduced, *Skipton*-Caſtle, *Pontfract*-Caſtle, *Scarborough*-Caſtle, *Sandal* and *Bolton*-Caſtles in *Yorkſhire*, (before all which Places ſome of the Forces raiſed under the Lord *Fairfax* were *Engaged*) beſides *Latham-Houſe*, *Greenhaugh*-Caſtle in *Lancaſhire*, beſieged by the *Lancaſhire* Forces, and *Carliſle* in *Cumberland*, Beſieged by the *Scotiſh* Forces; and in caſe *the King had attempted a Conjunction with* Montroſs, the *Scotiſh* Army being far North, was in a convenient Poſt to Interrupt that or any ſuch like Deſign.

CHAP.

21 *Caroli.*

Chap. II.

Actions between his Majesty's Forces and the Parliament's New Modell'd Army from the beginning of the Year 1645, *untill after the Battel at* Naseby, *June* 14*th.*

The first Action on of the New Model.

THE first Action entred upon by any of the Forces of this New-modell'd Army was on the 24*th* of *April* at *Islip-Bridge* in *Oxfordshire*; the occasion and manner thus.

Whilst the Parliament's Army lay Quarter'd about *Windsor*, waiting for their Train of Artillery, and fitting themselves to take the Field, Prince *Rupert* with a considerable Force, reputed 6000 Horse and Foot, lay about *Worcester*, and the Frontiers of *Wales*, and sometimes made Incursions into the Neighbouring Parts, and seemed to endeavour Northward; to attend whose motions, or fall upon their Rear if there were opportunity, Col. *Massey* advanced from his Government at *Gloucester* with 400 Horse, and 500 Foot to *Lidbury*; which Prince *Rupert* having notice of, resolved if he could to surprize and cut him off, and therefore marching all Night on *Monday Apr.* 21*th*, came early on the 22*th* in the Morning within half a Mile of *Ledbury*, before any discovery was made to *Massey*, who instantly caused his Horse to Mount, and drew up the Foot as well as he could; the Prince and the Lord *Loughborough* Charged into the Town several ways with great fury, and *Massey* fearing to be Hemm'd in, order'd his Foot to March away through the Enclosures with all the speed they could, and he himself with the Field-Officers and some Horse entertain'd the Prince, and secured the Retreat as well as he could for three or four Miles, yet at one place, some of the Princes Horse forced their way and fell into the Rear of *Massey's* Foot, and took near 200 Prisoners in the whole Action, amongst whom were two Captains, and Serjeant Major *Bacchus*, who died soon after of his Wounds: On the other side the Prince lost some Commanders, and many Common Soldiers, and was disappointed of his main End, which was utterly to have ruined *Massey*, and therefore not thinking it fit to advance Northward, retired back between *Worcester* and *Hereford*, and vigorously endeavour'd to supply his Army with large Recruits out of those Parts. But his Majesty in Person, with most of the Train, and a considerable party of Foot being then in *Oxford*, a Convoy of Horse, reputed about 2000, was ordered from *Worcester* and those Parts, to fetch them off from *Oxford*, that being joined they might take the Field together. Upon Advertisement whereof the Committee of both Kingdoms at *Westminster* (from whom the Parliament's Army was generally to receive its Orders) wrote to their General Sir *Tho. Fairfax*, immediately to dispatch some Horse beyond *Oxford*, to lye on the further side thereof towards *Worcester* to Intercept that Convoy, and hinder the King and his Train from passing out to meet them; and the Charge of this Service they in their Letter particularly recommended to Lieutenant General *Cromwell*, who was come but the Night before from *Salisbury*, or those Parts, to *Windsor* to take his Leave of the General, as seeming now to be as good as discharged of all *Military Imployment* by the New Ordi-

Prince *Rupert* falls upon *Massey* at *Ledbury*.

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nance, which was to take effect within few days; but receiving theſe Commands, and a party of Horſe and Dragons being by the General ordered to March under his Command into *Oxfordſhire*, near *Iſlip-Bridge* he met with a Brigade of the King's Horſe conſiſting of the Queen's, the Earl of *Northampton's*, the Lord *Wilmot's*, and Col. *Palmer's* Regiments, who Engaged him, but in concluſion the *Royaliſts* were worſted, and in the purſuit many ſlain, and about 200 taken Priſoners, whereof ſeveral were Officers; alſo her Majeſty's Standard, being a Crown in the midſt, incircled with divers *Flower-de-Luces* wrought in Gold, with a Golden Croſs on the top, was here taken. Some of theſe ſcatter'd Troops making their way to Sir *Tho. Coggins* Houſe at *Blechington*, where Colonel *Windebank* (Secretary *Windebank's* Son) kept a Gariſon for the King with about 200 Horſe and Foot therein; *Cromwell* came up and faced that Houſe with Horſe and Dragoons, and Summoned the Governour with a ſharp Meſſage, (*Cromwell's* Troops crying out for the Foot to advance and fall on, as if there had been a Body of Foot in readineſs, whereas in truth there was none) and an Anſwer being required to be inſtantly given, or elſe the utmoſt Severity to be expected, the Governour being ſurprized, and having no Intelligence of, or elſe doubting Relief from *Oxford* in time, ſubmitted to a Parley, and conſented to Surrender the Houſe upon the following Articles.

Cromwell routs a Brigade of the King's Horſe at *Iſlip-Bridge Apr.* 24.

Articles of Agreement upon the Surrender of Blechington *Houſe between Lieutenant General* Cromwell *and Col.* Windebank *Apr.* 24. Anno 1645.

Articles for Surrender of *Blechington-Houſe, Aprit 24th.*

1. It is agreed that all Commiſſion-Officers of Horſe of the Gariſon, ſhall march away with their Horſe, Swords and Piſtols.

2. That the Colonel of the Gariſon, and the Major, march away with their Horſe, Sword and Piſtols, and the Captains of the Foot with Horſe and Swords only.

3. That all Soldiers in the Gariſon march away, leaving their Arms, Colours and Drums behind them; and for ſuch Officers of Horſe as retreated thither for ſafety, to march away with their Swords.

4. That Mr. *Hutchinſon*, Mr. *Ernly*, Mr. *Eddes*, and Mr. *Pitts*, being Gentlemen that came to Viſit the Governour, and not Engaged, ſhall march away with their Horſes, Swords and Piſtols.

5. That all the other Arms and Ammunition ſhall be delivered up immediately to Lieutenant General *Cromwell*, without Imbezilling, except as above mentioned.

6. That Safe Conduct be granted by the Lieutenant General for all above mentioned to *Oxford*.

7. That the Colonel's Wife, her two Servants and Chaplain, with their Horſes, march along with the Colonel.

8. That the Lady of the Houſe ſhall enjoy her Goods without Plunder, and all her Family.

There were taken in this Houſe between two and three hundred Muſquets, ſeventy Horſes, and ſome other Arms and Ammunition, which *Cromwell* ſent away to *Aluſbury*, and not having Foot with him to Gariſon the Houſe, quitted it.

But

21 *Caroli.*

But his Majeſty highly reſented the Surrender of this Gariſon ſo near *Oxford* in this manner, and Col. *Windebank* was for the ſame called before a Council of War, and Condemned, and tho' by the Intereſt of his Father and Friends great Applications were made for ſaving his Life, he was ſhot to death, and his Brother a Lieutenant Colonel laid down his Commiſſion.

Windebank Governour of *Biechington*-Houſe ſhot to Death.

Cromwell marching from *Blechington* towards *Witney*, having notice *Apr.* 26. of a party of the King's Horſe that had a few hours before croſſed his way, ſent Col. *John Fiennes* after them, who overtook them, and after a brisk Skirmiſh took from them above one hundred Horſes, ſome Colours, and about forty Priſoners, and the next day underſtanding that a party of about 350 Foot, were marching under Command of Col. Sir *William Vaughan* (a Member of the Houſe of Commons) towards *Radcot*-Bridge, *Cromwell* with a ſilent March, beat up their Quarters at *Brampton*-Buſh, and took the ſaid Sir *William* the Commander in Chief, and Lieutenant Col. *Littleton*, Serjeant Major *Lee*, Five Captains, a Doctor of Divinity that was Sir *William Vaughan's* Chaplain, and about two hundred Common Soldiers Priſoners, whom he ſent with a Convoy to *Abington*.

Another Skirmiſh near *Witney*.

Cromwel beats up Quarters at *Brampton*-Buſh.

By this time the Parliament's General Sir *Thomas Fairfax* was got ready to march with his Army. And on *Monday*, *Apr.* 28. the Commons paſs'd this Order:

IT is this day Ordered by the Commons Aſſembled in Parliament, That the Miniſters be deſired at the next day of Publick Humiliation, [*Which was the next day*] to Recommend the Army under Sir *Thomas Fairfax* his Command to the Protection of the Almighty, and earneſtly to ſeek to Him for a Bleſſing upon their Endeavours, and for his Merciful Aſſiſtance to them, they being now upon their March. And that this Order be ſent to the Lord Mayor of the City of *London*, with deſire to him to take care for the ſpeedy publiſhing thereof in all Churches and Chappels in the City of *London*, and within the Lines of Communication.

Order for Prayers for *Fairfax's* Army, *Apr.* 28.

But before this Army ſet forth, it was debated in the two Houſes, Whither they ſhould firſt bend their March? Some were for Beleaguering *Oxford* as being the King's Head-Quarter, a Midland Gariſon of great Importance in the heart of the Kingdom, and wherein was at preſent the King's Train of Artillery. But others repreſented an Expedition into the *Weſt* was more advantageous or neceſſary, eſpecially becauſe there the Parliament's Gariſon of *Taunton* which had long been Beſieged by Sir *Richard Greenvil*, and others, with conſiderable Forces, and had ſtoutly defended themſelves, and was the only Inland Gariſon which the Parliament had in all the Weſt of *England*, was now reduced to great Extremity; and without ſpeedy Relief muſt inevitably be loſt; And this latter Advice prevailed, the rather for that Col. *Popham's* Houſe a near Gariſon at *Wellington* was lately taken, about fifty put to the Sword, and 150 made Priſoners. And an Order paſs'd *Apr.* 28. for their marching thither accordingly.

Fairfax to relieve *Taunton*.

And that the Army might be compleated, a Proclamation was made *Apr.* 29. by Beat of Drum, and Sound of Trumpet, throughout *London* according to an Order, of this Tenour.

IT is this day Ordered by the Commons Aſſembled in Parliament, That upon publick Notice given by Beat of Drum, and Sound of Trumpet, all Officers and Soldiers whatſoever under the Command of Sir

Proclamation for all Soldiers to repair to their Colours.

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He thence marched over the River to *Farrington*, hoping to have reduced that Place where a Gariſon was kept for the King by Lieut. Col. *Burges* (as Deputy-Governour under Col. *Owen*) but wanting Foot for that Service, ſent to Maj. Gen. *Brown* at *Abington*, who diſpatch'd thither about five or ſix hundred, whilſt in the mean time *Cromwell* ſent in this Summons.

SIR,

Summons to *Farrington*. I Summon you to deliver into my Hands the Houſe wherein you are, and your Ammunition, with all things elſe there, together with your Perſons to be diſpoſed of as the Parliament ſhall appoint: Which if you refuſe to do, you are to expect the utmoſt Extremity of War, I reſt

April 29*th*. 1645. Your Servant,
To the Governour of the Gariſon in *Farrington*. *Oliver Cromwell.*

To which Anſwer was return'd,

Anſwer. That the King had intruſted them to keep that Gariſon, and without ſpecial Order from His Majeſty Himſelf, they would not deliver it.

Cromwell then drew unto the Town of *Farrington*, and ſent this ſecond Summons.

SIR,

Second Summons. I Underſtand by forty or fifty poor Men whom you forced into your Houſe, that you have many there whom you cannot Arm, and who are not ſerviceable to you: If theſe Men ſhould periſh by your means it were great Inhumanity ſurely. Honour and Honeſty requires this, that tho you be prodigal of your own Lives, yet not to be ſo of theirs. If God give you into my hands, I will not ſpare a Man of you, if you put me to a Storm.

Oliver Cromwell.

But the Deputy-Governour return'd this reſolute Anſwer:

SIR,

Anſwer. WE have forced none into our Gariſon: We would have you know you are not now at *Blechington*. The Guiltleſs Blood that ſhall be ſpilt God will require at your hands that have cauſed this Unnatural War. We fear not your Storming, nor will have any more Parlies.

Your Servant,
Roger Burges.

Cromwell repulſed. About Three of the Clock next Morning (the *Abington* Foot being come up) *Cromwell* (with them and his Dragoons) began to Aſſault, but were repuls'd with the loſs of fourteen Men kill'd, and Capt. *Canon* (who rear'd the firſt Scaling-Ladder and aſcended himſelf)

21 *Caroli.*

ſelf) taken Priſoner, with an Enſign, and eight Common Soldiers, and divers Wounded.

Fairfax begins his March, *Apr.* 30*th.*

On *Wedneſday* the 30*th* of *April*, *Fairfax*'s Army marched from *Windſor* (hitherto his Head-Quarters) to *Reading*, (twelve Miles); from thence on *May-day* to *Theale*, (four Miles); and on *May* the ſecond to *Newbery*, (eleven Miles); whither *Cromwell* went to wait upon the General. And that Night ſome Parties of Horſe being ſent out towards *Hungerford* and *Marlborough*, whereabouts General *Goring* was with a great Body of Horſe and Dragoons coming out of the *Weſt*, they took one Lieut. Col. *Hacket*, and ſome other Priſoners. By whoſe Examinations and other Intelligence, they diſcovered that General *Goring* had a deſign that Night or next Morning early to Beat up *Cromwell*'s Quarters, whoſe Troops continued ſtill near *Farringdon*; whereupon *Cromwell* immediately haſten'd back to his Charge, and had betimes put his Men into a poſture to receive them; yet not ſo ſoon but that General *Goring* with a ſpeedy March came upon the Weſt of *Farringdon*, and recovered *Radcot*-Bridge. *Cromwell* ſent a Party of Horſe over the River to obſerve their Motions, whom the Earl of *Brainford*'s Regiment, (under the Command of Lieut. Col. *Scroop*) fell upon, and repulſed them, but they being then reinforced with greater Numbers from *Cromwell*, forced *Scroop* to retire, as alſo a ſmall Party of the Prince of *Wales*'s Regiment beat back by Major *Bethel*. To whoſe Relief the Lord *Goring* brought part of his Regiment, and of Col. *Richard Nevil*'s (Commanded at that time by his Lieut. Col. *Standiſh*, Sir *Bernard Gaſcoign*, Capt. *Medcalf*, and other Officers) by whom the Parliamentarian Party was forced to Retreat, and Major *Bethel* (venturing too far (as was ſaid) in the dark) taken Priſoner, with two Colours of Horſe, and ſome Common Soldiers; the Lord *Wentworth* in the interim ſtopping the Paſs, and hindring *Cromwell*'s ſending over any more Forces, who yet (beſides thoſe before mentioned taken Priſoners) acknowledged not their loſs to be above four or five kill'd: However General *Goring* kept his Advantage of the River, and Quarter'd his Horſe as far back as *Lechlade*, whil'ſt *Cromwell* making a Paſſage over *New-Bridge*, and having gain'd the ſame, General *Goring* either declining an Engagement, or rather deſirous to prevent the Raiſing of the Siege at *Taunton* (whither *Fairfax* was then advancing) marched back with all ſpeed after that Army into the Weſt.

Skirmiſh between the L. *Goring* and *Cromwell* at *Radcot*-Bridge *May* 3.

From *Newbery* *Fairfax* marched *May* the fourth to *Andover* (twelve Miles;) thence on the fifth to *Salisbury* (fifteen Miles;) But in the mean time had this Order ſent him from the Committee of both Kingdoms.

SIR,

Order to *Fairfax* to ſtop his March, *May* the 4*th.*

WE ſend you here encloſed, an Extract of the Intelligence we have of the Prince's Advance towards *Oxford*, and deſire you to *Halt* to Morrow about *Andover* with your Horſe and Foot, till you receive further Advertiſement from us, which ſhall be very ſpeedily.

Signed in the Name and by the Warrant of the Committee of both Kingdoms.

Your very Loving Friends and Servants,

Derby-Houſe, May 4. 1645.

E. Mancheſter, Loudoun.

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The *Intelligence* herein mentioned to be *enclosed* was this Letter from the Committee at *Coventry*.

Intelligence from the Committee at *Coventry*.

May it please your Honours,

WE have this Morning received Intelligence, That the two Princes *Rupert* and *Maurice* this laſt Night came with all their Forces to *Eveſholm*, and are directly on their March towards *Oxford*, and that they continue their March making no ſtay. This we thought our Duty to ſignifie to you, Remaining

Coventry *May* 2*d* 1645.

Your Honours moſt Humble Servants,
John Barker,
cum aliis.

But *Fairfax* (intent upon Relieving *Taunton*) was march'd *May* the *5th* to *Salisbury* (fifteen Miles; thence on the *6th* to *Sixepenny Hauley* in *Dorſetſhire* (ten Miles;) and ſo on the *7th* to *Blandford* (ſeven Miles.) In the mean time the Houſes being more aſſured of the Advance of Prince *Rupert* towards *Oxford*, on the *6th* of *May* paſs'd an Ordinance, That Sir *Tho. Fairfax* ſhould forthwith ſend only a Party of about 3000 Foot, and 1500 Horſe and Dragoons to *Taunton*; and he and the reſt of his Army march back to Joyn *Cromwell* and *Brown*, and attend the King's Motions with their united Force.

A Party ordered to Relieve *Taunton*.

This Order *Fairfax* received at *Beauford*, and readily obey'd; and on *May* the *8th* Commanded out a Brigade for the Relief of *Taunton*, conſiſting of four Regiments of Foot, *viz.* Col. *Welden's*, Col. *Forteſcue's*, Col. *Floyd's*, and Col. *Ingoldsby's*, under the Conduct of Col. *Welden*, as being Eldeſt Colonel, unto whom ſix Companies of Foot, belonging to the Gariſon of *Chicheſter*, Joyned themſelves about *Dorcheſter*, and afterwards as many Colours from *Lime*; in all between four and 5000 Foot, with a Body of 1800, or 2000 Horſe, *viz.* Col. *Graves's* Regiment, Col. *Cook's*, Col. *Popham's*, Col. *Fitz-James's*, and the *Plimouth* Regiment.

Col. *Welden* Commands the Brigade for *Taunton*.

Theſe marched directly on to *Taunton*, near which they arrived *May* 11*th*, upon whoſe approach the King's Forces before the Town raiſed their Siege, ſo that on *Monday* Morning *May* the *12th*, Col. *Welden* with the Officers without any oppoſition entred into it, (where they found a ſad Spectacle of a flouriſhing Town almoſt ruined by Fire, and the Extremities of War, and the People nigh famiſhed for want of Food) and having ſpent ſome time with Col. *Blake* the Governour, they gave Order for the whole Brigade to Retreat back and take up their Quarters at *Chard*.

Taunton Relieved *May* the 12*th*.

The Houſe of Commons upon receipt of the News of *Taunton's* being Relieved, Ordered a Publick Thankſgiving for the ſame: And a Letter was ſent to the Town of *Taunton*, and the Governour, and Soldiers therein, to give them the hearty Thanks of the Parliament, for this Extraordinary Gallant Service, in maintaining the Town ſo long: And likewiſe an Order was made for beſtowing of 2000 *l.* upon the Soldiers of that Gariſon, for their Courage in this Service; as alſo 500 *l.* to be given to Col. *Blake* the Governour.

That which much facilitated the Raiſing this Siege was, that the King's Party had no other Information but that *Fairfax's* whole Army was advancing thither, altho' indeed it was but a part, whereas if they had underſtood it to be only a Brigade, they had, in their opinion

opinion a ſtrength ſufficient to have fought them, and alſo made good the Siege; and for this miſintelligence there was ſome colour, for *Fairfax* with his whole Army did advance out of *Blandford* to *Wichampton* as if he had altogether deſign'd for *Taunton*, but then ſuddenly parting with that Commanded Brigade, wheeled about Eaſtward (marching through Incloſures, and avoiding the *Champion way*, in reguard he was not well furniſh'd with *Cavalry* if he ſhould meet with *Goring*'s Horſe, who were now upon their Retreat from *Oxford* towards the Weſt) and coming to *Ringwood*, *May* the 9*th*; thence on the 11*th* to *Rumſey* (fourteen Miles;) on the twelfth to *Alresford* (fourteen Miles more;) on the 13*th* to *Whitechurch* (ten miles;) on the 14*th* he reached *Newbery*, and there reſted his Army three days.

21 *Caroli.*

Fairfax's March.

During theſe Traverſes of the Parliament's Forces Weſtward, and back again, the King on the 7*th* of *May* with his Army left *Oxford*, and took the Field, His Majeſty with Prince *Rupert* and between ſeven and 8000 Horſe and Foot marching towards *Warwickſhire*, and deſigning for the Relief of *Cheſter*, which had long been Beſieged by Sir *William Brereton*; but Geneſal *Goring* with about 3000 Horſe and Dragoons was diſpateht into the *Weſt*, that he together with the reſt of the King's Forces in thoſe Parts might ſtreighten that Party of *Fairfax*'s Army which were gone to the Relief of *Taunton*, which they effected accordingly, for that whole Brigade was ſhortly after Coop'd up and Beſieged in the ſaid Town of *Taunton*, which ſo lately they had relieved from a former Siege.

The King takes the Field, *May* the 7*th*.

His Majeſty on the 15*th* of *May* came to *Hemley*, two miles beyond *Sturbridge* in *Worceſterſhire*, and there and at *Droitwich* reſted three or four days, whilſt Prince *Rupert* took in *Hawkeſly* Houſe (a ſmall Gariſon of the Parliaments, about ſeven or eight miles) which being Surrendred was Burnt. From *Hemley* His Majeſty advanced to *Wolverhampton*, and from thence *May* the 17*th* to *Newport* in *Shropſhire*; where by the way Sir *William Vaughan* Governour of *Shrawarden* Caſtle, (two miles from *Shrewsbury*) coming towards *Bridgenorth* to meet his Majeſty, fell upon ſome *Shrewsbury* Horſe at *Wenlock*, and worſted them. From *Newport* His Majeſty marched to *Draiton* (on the Borders of *Cheſhire*) and by that time the Army came within twenty miles of *Cheſter*, the Lord *Byron* with ſome Troops of Horſe came from that City, and aſſured His Majeſty of the Raiſing of that Siege, and that Sir *William Brereton* was Retreated into *Lancaſhire*: Whereupon His Majeſty diverted his Courſe through *Staffordſhire*, and Quarter'd *May* the 26*th* at *Tutbury*, and to *Aſhby-de-la-zouch* in *Leiceſterſhire* on the 27*th*, and the 28*th* to *Loughborough* ten miles thence, where having reſted that Night, on the 29*th* of *May* His Majeſty came before *Leiceſter*, which he took by Storm, as herein after is mentioned.

The K. takes *Hawkeſly*-Houſe.

Sir *William Vaughan* routs a Party of the Parliament's Horſe.

Siege of *Cheſter* raiſed.

Siege of *Cheſter* raiſed.

The King's marches back.

For the Reader's better underſtanding the Military Tranſactions of this Juncture he muſt note, that upon *Fairfax*'s being recall'd, and return with the greater Party of his Army out of the *Weſt*, the Houſes conſidered whether he ſhould be Imploy'd to ſit down before *Oxford*, or follow the King, who ſeemed to bend Northwards: And the former was reſolved upon: For which theſe Reaſons were urged:

The ſtate of the Parliaments Affairs and Councils at that time.

1. That the Parliament had already in the *North* a great Army under their Pay, of 21000 *Scots* Horſe and Foot.

2. That there were conſiderable Forces of theirs in *Cheſhire* and *Lancaſhire* under Sir *William Brereton*, which held *Cheſter* ſtraitly Beſieged.

3. That

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3. That in *Staffordſhire*, *Derbyſhire*, *Yorkſhire*, *Nottinghamſhire*, and *Lincolnſhire*, there were alſo very conſiderable Forces, which might Joyn with the *Scotiſh* Army if there were need, and were commanded ſo to do in caſe the King advanced Northwards. Beſides a part of 2500 Horſe and Dragoons under Col. *Vermuden*, part of *Fairfax*'s Army appointed to Joyn with the *Scotiſh* Army, becauſe they ſeemed only to want a due proportion of Horſe to Engage with the King's Army, and upon the Allotment of them to that Service, the Commiſſioners of *Scotland*, wrote to their General the Earl of *Leven* to advance; and the Committee of both Kingdoms ordered Col. *Vermuden* with his before mentioned Party to march into *Derbyſhire*, which accordingly he did, and came to the Rendezvous at the time appointed. This proviſion was held ſufficient, and more than enough, not only to ſecure and cover the Sieges of *Cheſter*, *Pontfract*, and *Scarborough*, (which were all then Beſieged by the Parliament) in caſe the King ſhould move Northwards, but alſo to fight the Royal Army with advantage, if need ſo required. But on the other ſide if His Majeſty ſhould tend Southward or Weſtward, *Fairfax* lying before *Oxford*, would be in the moſt convenient Poſt to Engage his Army, or obſtruct his Deſigns. But all this *Fair Scheme* of promiſing advantage, was interrupted and took no effect, for the *Scot*'s Army deſigned to attend the King's motions, did not advance according to Expectation and Order; whether it were for want of Money, for which they complain'd, and much importun'd the Two Houſes, or whether they were ſomewhat diſcontented, for that ſeveral Officers of their Nation were left out of Service upon this *New Model*, ſo it was, that inſtead of marching Southward, they returned back into *Weſtmerland*. Whereupon Sir *William Brereton* upon the Approach of the King's Army, ſeeing no Army ready at hand, nor hopes of any to Ballance it, Raiſed the Siege of *Weſtcheſter*, and ſo His Majeſty ſeeing the work done to his hand, marched back to *Leiceſter* and took it, there being no Army to check or controll Him. *Cromwell* and *Brown* who attended his motions as far as *Warwick* being recall'd to aſſiſt *Fairfax* at the Siege, or rather Blockade of *Oxford*.

The cauſe of *Fairfax*'s coming and ſitting down there, will partly appear by the following Letters and Orders ſent to him from the Committee of both Kingdoms.

Letter from the Committee of both Kingdoms to *Fairfax*, May 10*th*.

SIR,

WE have received your Letter of the Ninth Inſtant, and thereby take notice of your marching back, according to our Order: Since thoſe Letters of ours, we have notice that the King is marched to *Worceſter*, and Lieut. Gen. *Cromwell* to the North of *Oxford*, attending his motions. *Goring* with his Forces are gone back toward *Briſtol*, he was about *Lechelade* on *Thurſday* Morning, of which we deſire you to give notice to the party that is gone into the *Weſt*; and alſo that you cauſe the Regiments of Col. *Cook*, and Col. *Popham* to march with all expedition to Col. *Weldon*; as alſo *Plimouth* Regiment of Col. *Boſcowen*, and Col. *Fitz-James*.

Signed in the Name and by the Warrant of the Committee of both Kingdoms, by

Derby-Houſe, 10. *Maii*, 1645.

Your very affectionate Friends,

W. Say and *Seal*. *Loudoun*.

SIR,

21 *Caroli.*

Another *May* the 12*th.*

SIR,

WE have received your Letter of the Tenth Inſtant, and thereby intimation of your being at *Rumſey*, and your ſtay there for the next day: And in reſpect of *Goring*'s Return to the *Weſt*, and the danger we apprehend the Party gone into the *Weſt*, may be in thereby: We deſire you to ſtay where theſe Letters ſhall find you, if there ſhall be no inconvenience therein appear to you being upon the place, until we ſhall ſend further Orders, which ſhall be with all ſpeed.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-Houſe, 12. *May*, 1645. Your Affectionate Friends and Servants.

W. Say and *Seal.* *Loudoun.*

Another *May* the 14*th.*

SIR,

UNderſtanding by your Letter of the Twelfth of this Month, that your Forces are come ſo far this way, and have been put to hard Marches for many Days: We deſire you to Refreſh your Army for two or three Days, where this Letter ſhall find you, or in ſome commodious place thereabouts: Unleſs you have certain Intelligence that *Taunton*, or the Party ſent thither be in diſtreſs.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-Houſe, 14*th* of *May* 1645. Your very Affectionate Friends and Servants,

W. Say and *Seal.* *Johnſton.*

Another *May* the 15*th.*

SIR,

WE have received the welcome News of the Relief of *Taunton* by the Forces ſent from your Army, whereby thoſe poor People deſigned to Slaughter by their cruel Enemies, are delivered: We bleſs God for giving ſuch Succeſs to ſo weak a Party: And that the work was done without Loſs. And we return Thanks to you for the great Service you have done herein, and your ſpeedy Marches, and careful diſpatch of that Party you ſent, which came ſo ſeaſonably to the Relief of that Place: And we hope this happy beginning hath made ſuch alteration in the Affairs of the *Weſt*, as if it be followed with effect (of which we doubt not) will hinder the raiſing of the great Forces they promiſed themſelves there, will incourage and preſerve the People that do adhere to the Parliament, and lay a good foundation to the reducement of the whole *Weſt*: To which we doubt not but they will now contribute their own beſt aſſiſtance, being delivered of the *Bridle* that kept them in awe: And having had a ſad experience of the Cruelties of the Enemies, and taught thereby more clearly to know their own, and the Publick Intereſt, and to purſue and ſerve it.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-Houſe, 15*th.* of *May*, 1645. Your Affectionate Friends and Servants,

W. Say and *Seal.* *Loudoun.*

SIR,

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Another the ſame day.

SIR,

WE have appointed a Party of Two thouſand Horſe, and five hundred Dragoons to march to the *North*, for the aſſiſtance of the *Scotiſh* Army, to be made up of the Regiments of Col. *Sidney*, Col. *Vermuiden*, Sir *Robert Pye*, and Col. *Fiennes*; and in caſe they ſhall not make up 2000, then to fill that Number up with ſuch of the Troops now under the Command of Major *Sadaſky* as are fulleſt: That theſe and 500 Dragoons all under the Command of Col. *Vermuiden* ſhall march towards the *Scotiſh* Army, in caſe the King's Army ſhall march Northward. The reſt of the Forces that are left with Lieut. Gen. *Cromwell* are appointed to march back towards *Blechington* to put a Gariſon into that Houſe, and diſpoſe the Forces in the beſt way that may be for the ſtreightening of *Oxford*, which we have deſign'd to be Blocked up forthwith, in order to a Siege, with thoſe Forces that are at preſent with you, and with Lieut. Gen. *Cromwell*, and with all the Recruits that are to come up, and ſuch other Forces both of the Gariſons and other Counties as we ſhall ſend thither for that purpoſe.

We have deſigned this as the main, *Abington* to be preſerved; with the reſt of its Forces not already elſewhere appointed, unleſs there ſhall any eſpecial Exigency require them to be otherwiſe imployed: We deſire you therefore ſo to diſpoſe of your March as may be of moſt advantage to the deſign of Blocking up and Beſieging of *Oxford*. We deſire you to conſider what is neceſſary for ſuch a work, and to adviſe us thereof.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By

Derby-Houſe, 15*th* of *May*, 1645.

Your Affectionate Friends and Humble Servants,

W. Say and *Seal.* *Loudoun.*

May the 16*th*, certain Inſtructions, Rules and Directions to be obſerved and put in Execution by Col. *Martin Pindar*, *Harcourt*, *Leighton*, *Tho. Herbert*, and Capt. *John Potter*, Eſquires, Commiſſioners of Parliament, appointed to Reſide in the Army, were read in the Houſe of Peers, and after ſome Debate their Lordſhips concurred with the Houſe of Commons therein, the ſaid Inſtructions being to this Effect:

Rules to be obſerved by the Commiſſioners reſiding in the Army.

1. That for the prevention of *Falſe Muſters*, they are to ſee that the Advocate of the Army adminiſter an Oath to ſuch Perſons attending upon Muſters, as ſhall be preſented unto him for the diſcovery of falſe Muſters, or accuſing any Perſon that ſhall violate the Articles of War in caſe of Plunder, or otherwiſe.

2. For the eaſe of the Country, the ſaid Commiſſioners are to endeavour that no Officer or Soldier be Quarter'd in any Place but by the Quarter-maſter, firſt ſhewing his Commiſſion, if it be required, and by what Authority he takes up ſuch Quarters; and giving a Ticket of the Names of every Perſon which he ſhall Quarter, expreſſing of what Regiment, Troop, or Company the ſame Perſon ſo Quarter'd is; and the Number of Horſes there Quarter'd, and at whoſe Houſe; together with the day of the Month, and to ſubſcribe his Name thereunto: Saving where by reaſon of the great Numbers of them they cannot be Incerted, and then their Numbers to be expreſſed in place of their Names.

3. That no Quarter or Proviſions for Man or Horſe in any Quarters be taken without Payment of ready Money; but in caſe of Neceſſity for want of Pay; which the Parliament will uſe all means poſſible

poſſible to prevent. And in caſe any Quarter or Proviſion ſhall be taken without payment, the Captain or Quarter-Maſter ſhall by writing under their or one of their hands, certifie what Proviſions have been ſo had, within what time, by whom, and of what Regiment, Troop and Company, from whom and the value thereof, Provided, that where the Army ſhall be upon their March, not ſtaying above twenty four Hours in a place, the Rates ſhall be Four pence a Night for Hay, Three pence a Night for Graſs, Four pence a Peck for Oats, Six pence a Peck for Peaſe and Beans, and Seven Pence a Peck for Barly and Mault, (which Proviſion of Barly and Mault is not to be taken but where no other Grain for Horſe-meat is to be had) Eight pence a day is to be paid for the Diet of every Trooper or Horſe-man, Seven pence a day for every Dragooner, and Six pence a day for every Foot-Soldier, Pioneer, Waggoner, or Carter, that ſhall not be Officers by Commiſſion, or of the Life-Guard Troop. Provided alſo, that no Inhabitant whatſoever ſhall be compelled to furniſh any Proviſion but what he hath in his Houſe of his own: And that no Officer or Soldier ſhall compell him to do otherwiſe, upon pain of Caſhiering, or ſuch other puniſhment as the Commander in Chief ſhall think fit.

21 Car.

SIR,

WE wrote unto you the Fifteenth Inſtant, giving you notice of our intention for the preſent Blocking up and future Siege of *Oxford*, by the encloſed Copy of the Order of both Houſes; you ſee it is now their reſolution, who have written to the Committees about it; we therefore deſire you forthwith to ſend ſuch of your Horſe as you can ſpare, leaving ſufficient to bring up your Foot, to prevent the carrying of any Proviſions into that Town; we have written alſo to that purpoſe to Lieut. General *Cromwell* and Major General *Brown*. We deſire this may be ſpeedily done, and withal to ſend us word what Proviſions you think neceſſary for that Siege, that there may be a ſpeedy Proviſion thereof. In regard this deſign is now publick, we deſire you to make all ſpeed to ſend in ſome Horſe to hinder the carrying in of Proviſion to *Oxford*, and the Burning and Spoiling of the Country.

A Letter to *Fairfax* about laying Siege to *Oxford*, *May* 17.

Derby-Houſe, 17*th* of *May* 1645.

Signed in the Name and by the Warrant of the Committee of both Kingdoms,
By
Your Affectionate Friends and Servants,
W. Say and Seal *Johnſtone.*

Die Sabbatis 17. *May* 1645.

It was Voted, declared, and agreed, That the Lords and Commons do approve of the deſign for the ſpeedy reducement of *Oxford*.

The Houſes Order the Siege of *Oxford*.

Ordered by the Lords and Commons aſſembled in Parliament, That the City at a Common Council be made acquainted with this deſign, by ſome Members of both Houſes on *Tueſday* next at Three of the Clock in the Afternoon, and the reaſons of this deſign urged, and their concurrent Aſſiſtance deſired.

Accordingly *Fairfax* on the 17*th* of *May* advanced from *Newbury* to *Blewbury* (ten miles;) and there lay two Nights; on the 19*th* to *Newnam* in *Oxfordſhire* (nine miles;) the next day two miles further to *Garſington*, and on the 22*d* to *Marſton*, and began to Beleaguer *Oxford*. Capt. *Gardiner* with a party of Horſe and Foot Charg'd a Party of *Fairfax*'s Horſe, Commanded by Adjut. Gen. *Fleming*, but

Fairfax approaches *Oxford*, May 22.

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May 23. the King's Gariſon at *Godſtow* near *Wolvercot* had Order to deſert it, and the Houſes there were by the Owners ordered to be ſet on fire; but by the coming in of ſome of *Fairfax*'s Troops, the ſame were preſerv'd, and the Governour in his Retreat towards *Oxford* taken Priſoner. *May* 24*th* *Fairfax* viewed *Boſtol*-Houſe, and ſent a Party to Beſiege it, where Adjutant General *Flemming*, being engaged in a ſingle Encounter, ſhot his Enemy, but alſo received a ſhot himſelf in the Belly, which was thought mortal, but he afterwards recovered. *May* 26*th* Sir *Thomas* put over four Regiments, and thirteen Carriages at the New Bridge over *Charwell*; His Head-Quarter was at *Marſton*, *Cromwell*'s at *Witeham*, and *Brown*'s at *Wolvercot*.

On the 28*th* of *May* the Committee of both Kingdoms ſent the following Letter to their General.

SIR,

A Letter to *Fairfax*, May 28*th*.

UPon the 25*th* of this Inſtant, the King's Army returned to *Titbury*, and upon *Monday* the 26*th*. was about *Aſhby* intending in probability for the Aſſociation; upon which intelligence, we have again written to L. Gen. *Cromwell* to repair ſpeedily to the Iſle of *Ely*, and to take with him four Troops of Horſe, and we deſire you to give Order accordingly. We have alſo written to the Committee of *Cambridge* to look to the ſecurity of their Gariſons, and to ſend their Forces to Rendezvous as L. Gen. *Cromwell* ſhall appoint. We have written to Col. *Vermuyden* (unleſs the King march Northward) to come back towards the Aſſociation with all diligence, and to joyn with ſuch other Forces, as we have appointed, for the defence thereof, and to obey ſuch further directions as he ſhall receive from this Committee, or from you. We have alſo written to Col. *Maſſie* to come to *Burford*, with what force he can, having regard to the ſecurity of his Gariſons, and thoſe parts, and holding Intelligence with you to joyn as there ſhall be occaſion. We deſire you without interrupting your proceedings for the preſent about *Oxford* to have your Forces in ſuch poſture as they may be ready to march for oppoſing the Enemy, and ſecurity of the Aſſociation if there ſhall be need.

Derby-Houſe, *May* the 28*th*, 1645.

Signed in the Name, and by the Warrant of the Committee of both Kingdoms, by

Your very Affectionate Friends and Servants,

P. Wharton. *Johnſtone.*

His

His Majeſty marching back as you have heard, through *Staffordſhire*, came up to *Leiceſter May* 29*th*. His Highneſs Prince *Rupert* betimes in the Morning facing the Town with Horſe, view'd it every way, and ſuddenly girt it round: In the Afternoon his Majeſty's whole Army came up and ſat down before it, and his Highneſs ſent in a Summons, requiring them to deliver up the Town for his Majeſty, who was there in Perſon: To which towards Evening they returned a Denial, and Superſcribed thus, *To the Commander in Chief of the King's Army.* Orders having been given to raiſe a Battery before the New Work, the ſame by Eleven a Clock next day was finiſht, and Six great Pieces of Ordnance planted thereon, and played fiercely all that Afternoon, making a Breach by Seven a Clock in the New-Work Wall ſo wide, that Ten men might enter a-breaſt. About Ten a Clock his Highneſs Commanded the Soldiers to draw near the Works, and upon the Signal given (which was to be the Firing of thoſe Six Pieces of Cannon all at once) to fall on. They ſtorm'd the Town in five ſeveral Places at once, but the fierceſt Aſſault and moſt deſperate Service was at the beforementioned Breach in the New-Work Wall, where they came to puſh of Pike, and Col. *St. George* of the King's ſide, in a Gallantry came up almoſt to the mouth of a Cannon, and was by it ſhot to pieces, and Col. *George Liſle* who led on the Aſſailants there, was twice forced back, and he himſelf knockt down into the Ditch, yet they went on the third time, and then forced their Entrance at that Breach, tho' the Town at other Places was as good as loſt before; for the firſt that entred were Sir *Bernard Aſteley*; and at another Place Sir *Henry Bard* who Scaled the Works only with three Ladders; then his Highneſs Prince *Rupert*'s Regiment got in, and the Ports were flung open, and the Horſe let in, and the Town Maſter'd, tho' thoſe within it made a very ſtout defence, of whom there was in all about one hundred kill'd, and near as many acknowledged by the King's party to be ſlain on their ſide. Whereas the Writers on the Parliament's Party, make the Loſs of the Royaliſts to be much greater, and that there were Buried of them in *Leiceſter* 709. as had been computed by the Burials there. 'Tis certain his Majeſty's Army here got abundance of excellent Plunder and Pillage; for beſides the Goods and Wares of the Townſmen, thoſe that adher'd to the Parliament round about in the Country, had ſent in thither their beſt Moveables as to a place of Security. They alſo took there about 1500 Priſoners, Fourteen Pieces of Ordnance, 500 Horſe in Service, with as many more good Horſes brought in thither as made them up 1000. 140 Barrels of Powder, with Bullet and Match proportionable. And in Money, Plate and other rich Commodities to the value of many thouſands of Pounds. The next day being *Sunday*, the King commanded Solemn Thanks to be given to God for his ſucceſs in taking that Town, and ſtaid there to refreſh his Army two or three days.

21 *Caroli.* The King takes *Leiceſter* by Storm, *May* the 30*th*.

This Loſs of *Leiceſter* ſtartled the Two Houſes, and the rather becauſe at the ſame time by a conjunction of the Forces of Col. *Goring*, Sir *Ralph Hopton*, and Sir *Richard Greenvile*, their Brigade under *Welden* in the *Weſt*, was Beſieged in *Taunton*; and therefore they now began to think more earneſtly of Raiſing their Army from *Oxford* to prevent if they could his Majeſty from marching into the Aſſociated Counties. But in the mean time *Cromwell* with but four Troops of Horſe, being gone into the Iſle of *Ely*, and *Brown* ſent

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Fairfax takes *Gaunt*-House, *June* 1.

up to *London* to give advice how matters ſtood at *Oxford*, and receive Orders what was next to be done. *Fairfax May* the 31. ſent Col. *Rainsborow* with a party of Foot and ſome Horſe to Beſiege *Gaunt-Houſe*, who Summon'd it, and next day *June* the firſt, had it Surrendred, and a Gariſon placed therein for the Parliament.

A Sally out of *Oxford*, and near 100. of *Fairfax*'s Men taken, *July* 2.

On *Monday July* 2*d*, the Governour of *Oxford* about one of the Clock in the Morning marching himſelf with near 1000 Horſe and Foot towards *Hedington*-Hill (a mile from *Oxford*) where there was a Guard kept by the Beſiegers; and ſending Col. *Walter*, Sir *Thomas Gardiner*, and Capt. *Grace* towards *Budington-Green*, to fetch a compaſs and fall in upon them behind; the whole Guard at that place was ſurprized, ſome kill'd, and fourſcore and twelve carryed away Priſoners into *Oxford*, whereof one was Capt. *Gibbons*; but the next day they were Releaſed in Exchange for as many of thoſe who had been taken in the Skirmiſh between Adjutant General *Flemming* and Capt. *Gardiner* before mentioned.

Fairfax marches away from before *Oxford*, *June* the 5*th*.

July the 4*th Fairfax* received poſitive Orders to march from *Oxford*, to defend the *Aſſociation*; who forthwith ordered the Forces on the other ſide of the River to march to *Iſlip*, and pull'd down the New-built Bridge, and the next day *June* 5*th* the Army march'd to *Marſh-Gibeon*, ten miles, and in his march turned out of his way to ſee the Siege before *Borſtal*-Houſe, where Major-General *Skippon* had lain for ſome time; and ſent the following Summons.

To Sir William Campian *Governour of* Borſtal.

SIR,

Summons to *Borſtal*-Houſe.

I ſend you this Summons before I proceed to further Extremities, to deliver up to me the Houſe of *Borſtal* you now hold, with all the Ordnance, Arms and Ammunition therein, for the uſe and ſervice of the Kingdom, which if you ſhall agree unto, you may expect Civilities and fair Reſpects, otherwiſe you may draw upon your ſelf thoſe Inconveniences which I deſire may be prevented. I expect your Anſwer by this Trumpet within one hour. I reſt,

Your Servant,
Tho. Fairfax.

To which was return'd this Anſwer:

The Anſwer.

SIR,

YOU have ſent unto me a Summons to Surrender this Houſe, for the Service of the Kingdom; I thought that Bait had been long e'er this very ſtale, (conſidering the King's often Declarations and Proteſtations to the contrary) now ſufficient only to cozen Women and poor ignorant people: For your Civilities as far as they are conſonant to my Honour I embrace; in this place I abſolutely apprehend them deſtructive not only to my Honour, but alſo to my conſcience: I am therefore ready to undergo all Inconveniences rather than to ſubmit to any, much leſs to thoſe ſo diſhonourable and unworthy Propoſitions: This is the Reſolution of,

Sir, your Servant,
W. Campian.

The Siege of *Borſtal*-Houſe quitted.

That Night *Skippon* cauſed the Houſe to be Stormed, but the Moat being much deeper than they expected, the Aſſailants were beat off with Loſs, and ſo the next day raiſed that Siege alſo, and march'd after the Army, whoſe Head-Quarter was that Night at Great

21 *Caroli.*

Great *Brickhill*, where a Fire happen'd in the Generals Quarters, and a Man, a Boy, and three or four Horſes burnt.

The King marched from *Leiceſter* towards *Daventry*, with intention as was ſuppoſed to Relieve *Oxford*, but finding that done to his hand, on the 6*th* of *June* part of his Army faced *Northampton*.

In the mean time the Aſſociated Counties, and the Parliaments Gariſons therein, were under great apprehenſions of dangers; and Letters were Poſted from all Parts to General *Fairfax* to haſten him to their Aſſiſtance, ſome of which I ſhall inſert from the Originals now in my Cuſtody.

A Letter from Lieut. Gen. *Cromwell*, *June* 4. 1645.

SIR,

I Moſt humbly beſeech you to pardon my long Silence: I am conſcious of the fault, conſidering the great Obligations lying upon me. But ſince my coming into theſe parts I have been buſied to ſecure that part of the Iſle of *Ely*, where I conceived moſt danger to be. Truly, I found it in a very ill poſture, and it is yet but weak without Works, Ammunition or Men, conſiderable, and of Money leaſt; and then I hope you will eaſily conceive of the defence; and God has preſerv'd us all this while to a Miracle. The party under *Vermuyden* waits the King's Army, and is about *Deeping*, has a command to Joyn with Sir *John Gell* if he commands him, ſo the *Nottingham*-Horſe. I ſhall be bold to preſent you with Intelligence as it comes to me: We heard you were marching towards us, which was matter of rejoycing to us. I am bold to preſent this as my humble ſuit, That you would be pleaſed to make Captain *Rawlins* this Bearer, a Captain of Horſe; He has been ſo before, was nominated to the Model, is a moſt Honeſt Man: Col. *Sidney* leaving his Regiment, if it pleaſe you to beſtow his Troop on him, I am confident he will ſerve you faithfully; ſo by God's Aſſiſtance, will

June 4*th*, 1645. *Huntington.*

Your moſt Humble Servant,
Oliver Cromwell.

The Committee at *Northampton's* Letter.

SIR,

THIS Afternoon Sir *Robert Pye* is come hither from *Leiceſter* upon his Parole, and aſſures us that the King and his whole Army is marched out of *Leiceſter* this day this way: We hear *Vermuyden* is at *Market-Deeping* on the Edge of this County about *Stamford*. We thought good to give you notice of it, Remaining

Northampt. June the 4*th*. 1647. 7. Afternoon.

Your Humble Servants,
Edward Farmer, Vicec. Com.
Rowland St. John.
E. Attarby.
Richard Samwell.
Philip Folman.

Another.

SIR,

WE have at this Inſtant receiv'd certain Intelligence that the King's Army is advanced this way, and a great party both of Horſe and Foot come as far as *Harborough*, which is within twelve Miles of us; their deſign is thought to be for this place; we doubt not but you will take us into your thoughts for a ſpeedy Relief, and in the mean time we ſhall provide for them to the beſt of our ſtrength. We Remain

Northampt. June 4*th*. 1645. paſt 10. at Night.

Your Humble Servants,
Edw. Farmer, Vic. Com.
Rol. St. John, &c.

Gentlemen,

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From Sir *Sam. Luke*, Governour of——

Gentlemen,

THE Enemy lying this Night at *Harborough*, and all Intelligence being they intend for this Town; how ill we are provided you cannot but know; our Horſe and Men being commanded away, and we not Six hundred Foot left in the Town, I deſire you as you tender either your own or our Good, to haſt hither what Men you can, for we had need of Two thouſand Men to Man theſe Works, they are ſo large, and at this time ſo Indefenſible. This is all at preſent can be aſſured you from

June 5th. 1645.
5. a Clock in the Morning.

Yours to Serve you,
Sam. Luke.

Another.

SIR,

THIS Meſſenger will aſſure you that his Majeſty is at *Harborough*, and his March is intended either for *Northampton*, or this place, as the Report goeth: Therefore I beſeech you let the Foot belonging to this Gariſon be ſent home with all ſpeed, and if you can ſpare us any more, they will be moſt acceptable, for we ſhall want above a Thouſand Men to Man our Works in any reaſonable manner. We want all Proviſions, and if we eſcape a Storm, we cannot hold out long, therefore deſire you to conſider him who is

This *5th* of *June*, 1645.
4. a Clock in the Morning.

Yours in all Serviceable Reſpects Commandable
Sam. Luke.

I beſeech you, *Sir*, let the General be acquainted with our Condition.

From the *Cambridge*-Committee.

Honourable Sir,

ALthough our danger was great in our Conceit, upon the firſt apprehenſion of the taking of *Leiceſter*, yet we were ſomewhat quieted in the Intelligence that you were Ordered to Advance between us and the Enemy as a Guard for the *Aſſociation*; but being informed that upon *Wedneſday* you were in your former Quarters, and that the Enemy was in his way between *Harborough* and *Northampton* with his Carriages, we could not ſo far deſert our own ſafety as not to ſollicite earneſtly your Honours ſpeed and care for our ſafety, on whom your Army much reſteth for its being and ſubſiſtance, and we upon the ſafety of it. We had formerly ſent to the Counties to raiſe their Horſe and Dragoons to their Borders as nigh *Cambridge* as may be, and have now ſent to quicken them. We preſent our ſelves

Cambridge, *6th. Junii*, 10. in the Forenoon.

Your Honours
Humble Servants,

W. Spring.
H. Mildmay.
Francis Ruſſell.
Nath. Bacon.
Tho. Ducket.
Jo. Bonner.
Abr. Burrell.
Ri. Harlakenden.
Tr. Middleton.
John Brewſter.
Hum. Wallcots.
John Willesby.
William Brownlow.
Tho. Martyn.
William Heveningham.
Maurice Barrowe
John Gurdon.
Iſaac Puller.
Robert Vintner.
Robert Crane.

May

May it pleaſe your Excellency,

LAſt Night upon Intelligence of the King's March towards *Northampton*, I came to *Oundle*, and am now marching to meet your Excellency, who I hear is about *Brackley*. The Lord ſend us a ſpeedy Conjunction, a good Engagement with bleſſed ſucceſs. Which is the earneſt Prayer of

June the 6*th*. Seven in the Morning.

Your Excellency's moſt Obedient Faithful Servant,
Vermuyden.

Affairs ſtanding in this poſture, *Fairfax* on the 7*th* of *June* marched from *Brickhill* to *Sherrington* a Mile-Eaſt of *Newport Pagnell*, that *Vermuyden* with that conſiderable Body of Horſe formerly detached to Joyn the *Scots*, but upon their Retreat to *Weſtmerland*, now marching back as you have heard, might more conveniently Joyn him, and eſpecially to be on that ſide the River the better to ſerve the *Aſſociation*. There they reſted the next day, being *Sunday*, but ſent out ſeveral Parties of Horſe, who brought in Priſoners ſome Stragglers of Sir *Marmaduke Langdale*'s Brigade, by whom they gain'd Intelligence that his Majeſty's Army continued ſtill about *Daventry*.

Whereupon *Fairfax* call'd a Council of War, by whom (amongſt other things) it was reſolved that a Letter ſhould be ſent to the Parliament to deſire them for a time to diſpenſe with *Cromwell*'s abſence from the Houſe, and that he might Command their Horſe, an Engagement being like to happen very ſpeedily, wherein his Service might be of great uſe; which Letter was ſent by Col. *Hammond*, and Orders given by Votes of the Houſe to *Cromwell* forthwith to march to the Army accordingly, in Order to which *Fairfax* wrote to him the following Letter:

Cromwell ſent for.

SIR,

YOU will find by the Incloſed Vote of the Houſe of Commons a liberty given me to appoint you Lieut. Gen. of the Horſe of this Army during ſuch time as that Houſe ſhall be pleaſed to diſpenſe with your attendance, you cannot expect but that I make uſe of ſo good an advantage as I apprehend this to be to the publick good. And therefore I deſire you to make ſpeedy repair to this Army, and give order that the Troops of Horſe you had from hence, and what other Horſe or Dragoons can be ſpared from the attendance of your Foot in their coming up, march hither with convenient ſpeed; and as for any other Forces you have there, I ſhall not need to deſire you to diſpoſe of them as you ſhall find moſt for the publick advantage; which we here apprehend to be that they march toward us by the way of *Bedford*. We are now Quarter'd at *Wotton* two miles from *Northampton*, the Enemy ſtill at *Daventry*. Your Intelligence is that they intend to move on *Friday*, but which way we cannot yet tell. They are as we hear more Horſe than Foot, and make their Horſe their Confidence. Ours ſhall be in God, I pray make all poſſible haſte toward

Fairfax's Letter to *Cromwell*, *June* 11*th*.

Your Affectionate Friend to Serve you,
Th. Fairfax.

The ſame day Col. *Vermuyden*, a Valiant Man, being return'd with his Party of Horſe, deſired General *Fairfax* that he might Surrender his Commiſſion, having (as he alledged) ſpecial occaſions requiring

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quiring his preſence beyond the Seas; which was yielded unto, and accordingly he received his Diſcharge.

Major Gen. *Skippon* was deſired to draw the Form of a Lattel, and the Army was divided into ſeveral Brigades of Horſe and Foot, in order to their being better diſpoſed for an Engagement. And *Fairfax* diſpatch'd Couriers to Sir *John Gell*, Col. *Roſciter*, and the Governours of *Coventry*, *Warwick*, *Northampton* and *Nottingham*, to give them notice of the probability of a ſudden Engagement, and to haſten them to come up with what Strength they could make to Reinforce his Army.

Fairfax's Marches.

On *Wedneſday*, *June* the 11*th*, *Fairfax* marched from *Stonyſtratford* to *Wotton* within three Miles of *Northampton*, his Majeſty continuing about *Daventry*, and Quartering his Troops and Carriages upon *Borrough-Hill* (having anciently been a place of Fortification) and 'twas imagined he had made choice thereof as advantagious to Fight upon, in caſe the Enemy durſt advance to him: But indeed his Majeſty only waited there for the return of a Party of Twelve hundred Horſe, which he had ſent as a Convoy with Proviſions gathered up in *Leiceſterſhire*, *Northamptonſhire*, *&c.* the better to ſecure that City againſt a Siege in caſe it ſhould be attempted, whilſt he marched for the Relief of *Pontfract* and *Scarborough*, to which he had a great inclination, eſpecially becauſe the ſame appeared more feaſible, ſince the Removal of the *Scotiſh* Army.

From *Wotton*, *Fairfax* ſent the following Letter that Night:

My Lords and Gentlemen,

Fairfax's Letter to the Committee of both Kingdoms, *June* 11*th*.

THE Army is this day marched from *Stoniſtratford* to *Wotton*, two miles from *Northampton*, and about nine from *Daventry*, where the Enemy yet remains. The ill Weather hath been ſome diſadvantage to us, but I hope a fair day may recover what a foul day loſes. It is intended that the Army move ſomething nearer the Enemy to Morrow, by which its like we may diſcover their reſolution. If they appear forward to engage, I ſhall take the beſt advice I can upon the place, but as yet I ſee no great reaſon to decline. But if the Enemy retreat Weſtward, or ſtand upon their advantage till further Supplies, which I hear they expect from the *Weſt* to come to them, I offer it to your Lordſhips, whether it be not fit that this Army receive what addition conveniently they may. And ſeeing we lye at as good an advantage, for marching Northward as the Enemy, being nearer to *Newark* their only Paſs, I think fit to propound that the Horſe of *Lincolnſhire*, *Darby* and *Nottingham* be drawn this way with all convenient ſpeed, for if the King go toward the *Weſt*, or the Weſtern Horſe come to him, we ſhall be much inferior in Horſe, being already over-numbred. I have already ſent to thoſe Horſe, but thought fit not only to give your Lordſhips notice, but deſire your aſſiſtance in the accompliſhing of this motion which appears but reaſonable to

Wotton at 10. at Night, *June* 11*th*, 1645.

Your Lordſhips Humble Servant,
Tho. Fairfax.

June the 12*th*, *Fairfax* marched to *Gilsborough*, four mile ſt Weſt of *Northampton*, and within five miles of *Burrough-Hill*, where his Majeſty's Army ſtill continued; to whom a Commanded Party of Horſe gave an Alarm, and by ſome Priſoners taken, underſtood that his Majeſty was diverting himſelf with Hunting, the Soldiers in no good Order, and many of their Horſes at Graſs, having no thoughts of the ſo near Advance of the Parliamentarians; yet the

Alarm

21 *Caroli.*

Alarm was ſo quickly taken through all their Quarters, that *Fairfax*'s Foot being ſomewhat behind, and Night approaching, he did not then think fit to venture any further attempt: But being rather apprehenſive they might viſit his Quarters, mounted about Twelve that Night, and rode about the Horſe and Foot-Guards till Four in the Morning, where an odd Adventure happen'd: Having his thoughts otherwiſe buſied, he himſelf forgot the Word, and was ſtopt at the firſt Guard; whereupon declaring who he was, and requiring the Soldier that ſtood Centinel to give it him, the Fellow refuſed, ſaying, He was to demand the Word from all that paſt him, but to give it to none; and if he advanced without it, would ſhoot him. And ſo made the General ſtay in the Wet till he ſent for the Captain of the Guard to receieve his Commiſſion to give the Word; and in the end the Soldier was rewarded for his Duty and Careſulneſs.

The Convoy of Horſe ſent by the King to *Oxford* being that Night return'd, and this unexpected March of the Enemy up ſo cloſe to them, being in a manner a ſurprize, his Majeſty thought fit to Decamp from *Burrough-Hill*, deſigning on the before mentioned towards *Pontfract*, either judging *Fairfax*'s Army would not follow them, or if they did, that he might fight them with more advantage after they had drawn them further Northwards. Accordingly early in the Morning his Majeſty's Army diſpatch'd their Carriages towards *Harborough*, fired their Huts, and bent their March thitherwards.

Fairfax holds a Council of War.

About Six a Clock the ſame Morning *Fairfax* called a Council of War, and in the midſt of their Debates came in Lieut. General *Cromwell* out of the *Aſſociation* with Six hundred Horſe and Dragoons, and preſently Orders were given for Drums to Beat, Trumpets to Sound to Horſe, and all their Army to draw to a Rendezvous; from whence a Party of Horſe were ſent towards *Daventry*, under the Command of Major *Harriſon* to bring further Intelligence; and another ſtrong Party under the Command of Col. *Ireton* to fall upon the Flank of the King's Army, if he found opportunity, whilſt *Fairfax* with the Main-Body marched to Flank them in the way to *Harborough*, and came that Night to *Gilling*; at which time the Van of his Majeſty's Army was at *Harborough*, the Rear within two miles of *Naſeby*, where *Ireton* fell into their Quarters and took ſeveral Priſoners, giving an Alarm to the whole Army. Upon which his Majeſty (not having notice thereof till Eleven at Night) left his own Quarters at that unſeaſonable time, and called a Council of War at *Harborough*, where Prince *Rupert* Quartered; To whom the Queſtion was put, what was beſt to be done, ſeeing the Enemy was ſo near, and (as 'twas plain) intended to Engage them? It was conſidered, That ſhould they march on to *Leiceſter*, if the Rear were Engaged, the whole Army might be put in Hazard, and therefore there was no ſafety in marching with the Van, unleſs they could bring the Rear clear off, which they foreſaw would be very difficult to do: And therefore it was reſolv'd to put it to a Battel, taking themſelves to be more ſtrong in Horſe, than *Fairfax*; to be much better furniſh'd with old Experienced Commanders, and having no reaſon not to relye upon their Infantry; for indeed they were generally valiant ſtout Men. And further they reſolved, ſince *Fairfax* had been ſo forward in preſſing upon him, they would not remain in that place where they were, expecting

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him, but forthwith advance to find him out and offer him an Engagement.

The Battel at *Naſeby*, *June* the 14*th*.

General *Fairfax* on *Saturday*, *June* the 14*th*, by Three a Cloch in the Morning marched from *Gilling* towards *Naſeby*, with deſign to follow cloſe upon the King's Rear, and if he could, to retard their March with his Horſe, till his Foot could come up to him, in caſe they ſhould march on to *Leiceſter*, (he being told that they had in the Night drawn ſome of their Carriages through *Harborough* that way,) By Five a Clock *Fairfax* brought his Army to a Rendezvous near *Naſeby*, and ſoon after ſeveral Bodies of his Majeſty's Horſe ſhew'd themſelves on the Top of the Hill on that ſide *Harborough*, whereby *Fairfax* and his Officers plainly perceived that they were putting themſelves into Order to Engage him. And ſo both Armies began to draw up in Battalia.

Of the King's Army, Prince *Rupert* and Prince *Maurice* Commanded the Right Wing, Sir *Marmaduke Langdale* the Left, and his Majeſty himſelf in Perſon the Main-Body: The Earl of *Lindſey* and Sir *Jacob* (ſometimes before Created Lord *Aſhley*) the Right hand Reſerve, and the Lord *Bard* and Sir *George L'Iſle* the Left Reſerve.

The Right Wing of the Parliament's Army conſiſting of Six Regiments of Horſe was led by Lieutenant General *Cromwell*, General *Fairfax* and Major General *Skippon* undertook the Charge of the Main Body. The Left Wing compoſed of five Regiments of Horſe, and a Diviſion of Two hundred Horſe of the *Aſſociation*, and a Party of Dragoons to ſecure their Left Flank, was committed at *Cromwell*'s Requeſt to the management of Col. *Ireton*, who was for that purpoſe made Commiſſary-General of Horſe: And the Reſerves were brought up by *Rainsborough*, *Hammond* and *Pride*. The Place where they fought was a large Fallow Field about a mile broad on the North-weſt-ſide of *Naſeby*, which ſpace of Ground was wholly taken up. The Two Armies were pretty equal as to Numbers, there not being Five hundred difference on either ſide.

The Field-word for the King was, *Queen Mary*: For the Parliament, *God our Strength*.

The Exact Form of the Battel is repreſented in the following Figure: That of the King's Army being drawn up ſoon after by the Lord *Aſhley*, who in an Engagement near *Stow* in the *Wold* was taken Priſoner; and whoſe Papers of *Naſeby* Battel under his own hand I have by me, and that of the Parliament's Army given in, approved by ſeveral of the Commanders in Chief therein Concerned.

The King's Army in the Form here deſcribed marched up in good Order, a ſwift March, with abundance of Alacrity, Gallantry and Reſolution. *Fairfax*'s Army was on the Brow of a ſmall Hill, having placed a Forlorn Hope of Three hundred Muſquetiers about Carbin-ſhot lower, who after they began to be hard preſſed upon, Retreated, according to the Orders before given them, to the Main Battalia. Prince *Rupert* with his Majeſty's Right Wing firſt began the Charge on that ſide againſt *Ireton*, and *Cromwell* with the Parliament's Right Wing at the ſame inſtant fell upon *Langdale*; and tho' ſeveral Actions in divers parts of the Battel happen'd at the ſame moment, yet they cannot be related otherwiſe than ſucceſſively, and therefore for Method I ſhall ſpeak firſt of the ſucceſs of the King's Right Wing againſt the Parliament's Left: 2*ly*, of the Actions

A Description of His MAJESTIE'S ARMY of Horse and Foot, and of his Excellencies S.r THOMAS FAIREFAX: as they were drawn into several Bodies at the BATTAIL of NASBIE June the 14.th 1645.

ons between the two Main-Bodies: 3*d*, of the ſucceſs of *Fairfax*'s Right Wing againſt the King's Left, which will bring us, 4*ly*, to the Cataſtrophe or Upſhot of the whole Action, wherein the Parliamentarians gain'd an intire Victory. 21 *Caroli.*

First then, the Prince furiouſly Charging, as you have heard, was handſomely received by *Ireton*, who yet after ſome ſmart Action, was diſorder'd, and himſelf in Charging a Brigade of the King's Foot, which he ſaw on his Right hand, preſſing ſore upon ſome of his Party, having his Horſe ſhot under him, was run through the Thigh with a Pike, and into the Face with an Halbert, and taken Priſoner, untill afterwards upon the Turn of the Battel he found an opportunity to gain his Liberty. This Wing and their Reſerves being broke, and generally over-born (which they imputed to the diſadvantages they ſuſtained by certain Pits of Water, and Pieces of Ditches which they expected not), his Highneſs Prince *Rupert* purſued the Advantage, and Chaced them almoſt to *Naſeby* Town. And in his Return Summoned the Train, offering them Quarter; but they being well defended with Firelocks, and a Rear-Guard, refuſed to ſubmit, and kept him off ſo long, till perceiving the Fortune of the reſt of the King's Army not to be equal to his, he quitted them, to ſuccour, if he could, his Friends, but came too late, as appeared by the Sequel.

Between the Two Main-Bodies very fierce and doubtful was the Encounter; but the ſucceſs there at firſt ſeemed to incline to his Majeſty's Forces; for except *Fairfax*'s own Regiment of Foot, almoſt all the reſt of his Front-diviſions gave Ground, and went off in diſorder, falling behind the Reſerves: But the Colonels and Officers after they found all their Endeavours to keep their Men firm, were (for a while) fruitleſs, did themſelves with their Colours and ſome Soldiers, fall into the Reſerves, who advancing, repell'd the King's Forces, and at laſt put them to a diſorderly Retreat. But Major General *Skippon* was very dangerouſly Wounded by a ſhot in the Side, whereupon General *Fairfax* deſired him to go off the Field, but the Old Man anſwered, *He would not ſtir ſo long as a Man would ſtand*; and accordingly ſtaid till the Battel was ended.

In the mean time *Cromwell* with his Right Wing had Charged Sir *Marmaduke Langdale* with great ſucceſs; for tho' he met with a Gallant Reſiſtance, inſomuch that they Fired at a cloſe Charge, and came to the Sword's point, and put ſeveral of his Diviſions into diſorder, yet in fine he broke them, and forced them to fly beyond all their Foot, near a Quarter of a mile beyond the place where the Battel was fought. Which having accompliſhed, his next buſineſs was with part of his Troops to keep the King's Horſe from coming to the Reſcue of their Foot; againſt whom by this time *Fairfax* with his Main-Body had prevailed, and diſorder'd them all, except one *Tertia*, who ſtood like a Rock, and tho' twice deſperately Charged, would not move an Inch; whereupon *Fairfax* commanded (the Captain of his Life-Guard) to Charge them once more in the Front, and he himſelf with his own Regiment, and a Commanded Party would at the ſame inſtant fall upon them in the Rear, and ſo they might meet together in the middle; which was done accordingly, and that laſt Body of the King's Foot put into confuſion and broken.

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Upon the Routing of this laſt Body, the King had nothing intire in the Field, but his Horſe, with whom was his Majeſty himſelf, and had Rallied and put them into as good order as the time would permit; the Prince too being now returned from his fatal ſucceſs, and Joyned with him: But all his Majeſty's Train of Artillery was already loſt, and his Foot broken, and *Fairfax*'s Army buſied in taking of Priſoners, except ſome Bodies of Horſe which faced the King to prevent him from advancing to the Succour of his Infantry.

However his Majeſty having got his Cavalry into convenient Order, *Fairfax* did not think fit to Charge them with his Horſe only, till the Foot were come up; and therefore the Officers having Rallied his Foot that were diſorder'd in the firſt Charges, and got them into a Body, they were coming up upon a faſt March to fall in between the Horſe who were drawn up again in two Wings, with a ſufficient ſpace left between them for the Foot, ſo that here was formed a ſecond good Battalia of Horſe, Foot and Artillery at the latter end of the day; from which the King's Horſe without any Ordnance or aſſiſtance of Foot were to expect a ſecond Charge; the Dragoons having already began to Fire; whereupon not willing to venture another ſhock upon ſuch great diſadvantages, his Majeſty with Courage and Magnanimity endeavoured all that was poſſible to encourage them, crying out, *One Charge more, and we recover the day*; yet he could not prevail, but they Retreated in diſorder, both Fronts and Reſerves; and *Fairfax*'s Horſe purſued them unto within two miles of *Leiceſter*, being fourteen miles of *Leiceſter*, and took many Priſoners.

Touching the Number ſlain in this Battel I have not been able to gain any certain Account: There were taken Priſoners near 5000, *viz.* Six Colonels, Eight Lieut. Colonels, Eighteen Majors, Seventy Captains, Eighty Lieutenants, Eighty Enſigns, and about Two hundred inferior Officers, beſides many of his Majeſty's Houſhold-Servants, and above 4000 private Soldiers.

There were alſo taken all the King's Train of Artillery that was in the Field, *viz.* Twelve Braſs Pieces of Ordnance (whereof two were Dethi-Cannon,) Two Mortar-pieces, about 8000 Arms, Forty Barrels of Powder, all the Bag and Baggage, and very rich Pillage which the Soldiers had poſſeſs'd themſelves of at the taking of *Leiceſter*, above one hundred Colours, the King's Sumpter, ſeveral Coaches, and his Majeſty's *Cabinet* of Papers and Letters, &c.

The King this day excellently diſcloſed the part of a General both for Conduct and Courage; ſo likewiſe the Earl of *Lindſey*, Lord *Aſhley*, Col. *Ruſſel* and others that were Wounded, acquitted themſelves with great Gallantry. Of Colonels, Knights, and Officers of Note, there were ſlain of his Majeſty's ſide about twenty. And of private Soldiers, the Number of 600 or thereabout, as was commonly computed, but much greater and indeed irreparable was his Majeſty's Loſs of ſo many brave Foot taken Priſoners.

His Majeſty in Perſon with part of the Horſe retreated into *Leiceſter*, but not judging it ſafe there to continue, parted thence the ſame Evening to *Aſhby-de-la-zouch*, where he Refreſhed himſelf for ſome hours, and thence paſs'd on to *Litchfield*, and ſo towards *Wales*.

The King retires towards *Wales*.

Another part being the Northern Horſe, under Sir *Marm. Langdale* got to *Newark*, and both Parties happily miſs'd Sir *John Gell*, who with

21 *Caroli.*

with 2000 Horſe according to Orders formerly ſent him, were the ſame day on their march from *Nottingham* towards *Leiceſter*, intending to have joyn'd the Parliament's Army before the Engagement.

Fairfax the ſame Night of the Battel marched five miles, *viz.* to *Harborough*, and made that his Head-Quarter; and moſt of the Priſoners taken in the Fight were that Night kept in *Harborough* Church; and the reſt, eſpecially ſuch as were Wounded, ſent to *Northampton*.

But the next day the General ordered Col. *John Fiennes* and his Regiment to march up to *London* with the Priſoners and Colours taken in this Fight.

Fairfax's Letter to the Commons of the Battel at *Naſeby*, *June* 15th.

Mr. Speaker,

BEſides the General Account I have already given by one of my Servants, whom I ſent up to *London* Yeſterday, I thought fit to ſend this Bearer, Mr. *Boles*, who may more particularly inform you, concerning the abundant Goodneſs of God to this Army and the whole Kingdom in the late Victory obtained at *Naſeby*-Field, the whole Body of their Foot taken and ſlain; ſuch a Liſt of the Priſoners as could be made up in this ſhort time, I have ſent: The Horſe all quitted the Field, and were purſued within three miles of *Leiceſter*: Their Ammunition, Ordnance and Carriages all taken, amongſt which there were two Demi-Cannons, a whole Culverin, and a Mortar-piece; beſides leſſer Pieces. We intend to move to *Leiceſter*, as ſoon as we have taken order with our Priſoners and Wounded Men: All that I deſire is that the Honour of this great never to be forgotten Mercy, may be given to God in an Extraordinary Day of Thankſgiving. And that it may be Improved to the good of his Church and this Kingdom; which ſhall be faithfully endeavoured by,

Harborough, June the 15th. 1645.

Sir,
your moſt Humble Servant,
Thomas. Fairfax.

POSTSCRIPT.

MAjor Gen. *Skippon* was ſhot through his Side, but notwithſtanding continued in the Field with great Reſolution. And when I deſired him to go off the Field, he anſwered, *He would not go off as long as a Man would ſtand*; ſtill doing his Office as a Valiant and wiſe Commander. Alſo Col. *Butler*, and Col. *Ireton* upon their firſt Charge were both dangerouſly Wounded, behaving themſelves very Gallantly. If I could enter into Particulars much might be ſpoken of the Reſolution and Courage of many Commanders both Horſe and Foot in this days Service. Some *Iriſh* are amongſt the Priſoners, as I am informed; I have not time to make inquiry into it; I deſire they may be proceeded againſt above according to Ordinance of Parliament.

Cromwell's Letter touching the ſame.

SIR,

BEing Commanded by you to this Service, I think my ſelf bound to acquaint you with the good hand of God towards you and us: We marched yeſterday after the King, who went before us from *Daventry* to *Haverbrow*, and Quarter'd about ſix miles from him. This day we marched towards him. He drew out to meet us, both Armies Engaged. We after three Hours Fight very doubtful, at laſt Routed his Army, kill'd and took about 5000, very many Officers, but of what quality, we yet know not. We took alſo about 200 Carriages, all he had, and all his Guns, being twelve in number, whereof two were Demi-Cannon, two Demi-Culverins, and I think the reſt Sacres; we purſued the Enemy from three miles ſhort of *Harborough* to nine beyond, even to the ſight of *Leiceſter*, whither the King fled.

Sir,

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Sir, This is none other but the hand of God, and to him alone belongs the Glory, wherein none are to ſhare with him. The General ſerved you with all Faithfulneſs and Honour, and the beſt Commendations I can give him, is, That I dare ſay he attributes all to God, and would rather periſh than aſſume to himſelf; which is an honeſt and a thriving way; and yet as much for Bravery may be given to him in this action, as to a Man: Honeſt Men ſerved you faithfully in this Action. Sir, they are truſty; I beſeech you in the Name of God not to diſcourage them. I wiſh this Action may beget Thankfulneſs and Humility in all that are concerned in it. He that ventures his Life for the Liberty of his Country, I wiſh he truſt God for the Liberty of his Conſcience, and you for the Liberty he fights for: In this he reſts, who is,

June 14*th*, 1645. Your moſt Humble Servant,
Haverbrow. *Oliver Cromwell.*

The Committee reſiding with the Army, their Letter to the *Speaker*, June 14*th*.

SIR,

THIS Morning by Day-break we marched out of *Guilsborow* after the Enemy; after an Hours March we diſcovered their Horſe drawn up at *Sybberton*, three miles on this ſide *Harborough*; an Hour after their Foot appeared. This was about Eight in the Morning; by Ten we were diſpoſed into a Battalia on both ſides: Both ſides with mighty ſhouts expreſs'd a hearty deſire of Fighting, having for our parts Recommended our Cauſe to God's Protection, and receiv'd *the Word*, which was, *God our Strength*: Theirs, *Queen Mary*. Our Forlorn Hopes began to play, whilſt both ſides labour'd for the Hill and Wind, which in concluſion was as it were equally divided. Our Forlorn-Hope gave back, and their Right Wing of Horſe fell upon our Left with ſuch Gallantry, that ours were immediately Routed, above 1000 ran along with them: But ſuch was the courage and diligence of the Right Wing backt with the Foot, that they not only beat back the Enemy from their Train, but fell in with their Foot, and after two Hours diſpute won all the Field-pieces, (whereof ſome are Cannon) moſt of their Baggage, Mortar-Pieces, Boats, 9000 Arms, much Powder and Match, *&c.* And nigh 4000 Priſoners. Their Number was about 12000. Some 600 Slain, many Commanders of Note. Of ours not above a hundred. Our Horſe are ſtill in purſuit, and have taken many of theirs. The Standard is ours, the King's Waggons and many Ladies. God Almighty give us Thankful Hearts for this Great Victory, the moſt abſolute as yet obtained. The General, Lieut. Gen. *Cromwell*, and Maj. Gen. *Skippon* (who is ſhot in the Side, but not dangerous) did beyond expreſſion Gallantly, ſo did all our other Commanders and Soldiers. We have loſt but two Captains. Tho' this come late, be pleaſed to accept it from

Naſeby, where the Fight was this *Saturday*, 14*th* *June*, 1645. Your Honours moſt Humble Servants,
Har. Leighton.
Tho. Herbert.

Priſoners of War taken at Naſeby-*Field*, June *the* 14*th*, 1645, *in* Northamptonſhire.

Colonels.
Sir *Richard Page.*
Theophilus Gilby.

Lieut. Colonels.
Woodhouſe.
Lauſon.
Burges.
Thornton.

Majors of Foot.
Byrne.
Bridge, Knight.
Hue.
More.

Majors of Horſe.
Whitford.

Denne.
Hookes.
Revely.

Captains of Horſe.
Thornton.
Shaftoe.

Capt.

Capt. Lieut.
Carnabee.
Lampton.
Officers of the Life-Guard of Foot.
Captains.
Fox.
Levins.
Fiſher.
Benton.
Bartee.
Capt. Lieut.
Wallis.
Lieutenants.
Mauſe.
Browne.
Enſigns of the Guard.
Chamberlain.
Porter.
Birkenhead.
Ingoldsby.
Mouſhall.
Wildhall.
Officers of the Life-Guard of Horſe.
Capt. *Maſon*, Reformado.
Officers of the Duke of *York*'s Regiment of Foot.
Captains.
Fitz-Morres.
Widnam.
Hill.
Dier.
Capt. Lieut.
Hawkeſworth.
Lieutenants.
Roſley.
Carles.
Ryley.
Enſigns.
Bunch.
Roſley.
Goring.
Bradſhew.
Prince *Rupert*'s Regiment of Foot.
Lieut. *Fiſher.*
Officers in Prince *Maurice*'s Life-Guard.
Capt. *Gerret.*
Capt. *Tempeſt.*
Lieut. *Backſter.*
Quarter-Maſter *Simſon.*
Officers of the Lord *Aſhley*'s Regiment of Foot.
Captains.
Walley.
Jackſon.
Wright.
Fowler.
Basberfield, Reformado.
Enſigns.
Ridley.
Rowland.
Corporal of the Field-Regiment.
Officers of Sir *Bernard Aſhley*'s Regiment of Foot.
Capt. *Hoare.*
Capt. *Fiſher.*
Lieutenants.
Weller.
Simons.
Smith.
Harden.
Enſigns.
Cheſter.
Homes.
Simmons.
Officers of Col. *Appleyard*'s Regiment of Foot.
Captains.
Terwil.
Maſters.
Saunderſon.
Huband.
Lieutenants.
Middleton.
Thompſon.
Lewin.
Baker.
Officers of Col. *Regols* Regiment.
Capt. *Dyet.*
Capt. *Glaſier.*
Lieutenants.
Ward.
Baggerley.
Cauſe, Reformado.
Enſigns.
Sharpe.
Blenkerne.
Emmings.
Tomes.
Officers of Sir *John Paules* Regiment of Foot.
Capt. *Maſon.*
Lieutenants.
Birket.
Wim.
Hickman.
Bradford.
Burling.
Enſigns.
Yeat.
Glaſcooke.
Hutchins.
Price.
Cooke.
Officers of Col. *Gerrard*'s Regiment of Foot.
Major *Biſhop.*
Capt. *Booth.*
Enſign *Bland.*
Enſign *Perrine.*
Officers of Col. *Page*'s Regiment of Foot.
Col. *Page.*
Lieut. Col. *Lawſon.*
Major Sir *Will. Bridges*, Knight.
Captains.
Edrington.
Norton.
Henſon.
Kerrington.
Bemſon.
Limſon.
Lieutenants.
Cartaine.
Egleſton.
Hilkingſon.
Bates.
Roundtree.
Floyneo.
Ballard.
Roberts.
Enſigns.
Edrington.
Linge.
Scot.

Officers of Col. *Lile*'s Regiment of Foot.
Lieut. Col. *Littleton.*
Major *Fowler.*
Captains.
Skirough.
Whitegreene.
Littleton.
Hocklington.
Lieut. *Carter.*
Enſign *Turpin.*
Enſign *Littleton.*

Officers of Col. *St. George*'s Regiment of Foot.
Major *Whitmore.*
Captains.
Owen.
Laurence.
Laurence.
Hearte.
Lieutenants.
Jones.
Nalſey.
Jones.
Enſign *Tem.*

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Officers

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Officers of Col. *Morris* Regiment.
Major *Whitford.*
Lieutenants.
Surles.
Griffith.
Enſigns.
Higham.
Ciſeill, Reformado.
Colonel *Bard*'s Officers of Foot.
Captains.
Leſley.
Devoſſet.
Lawſon.
Lieutenants.
Fowler.
Twiſield.
Windſor.
Enſigns.
Doliſon.
Faire Brothe.

Col. *Vaughan*'s Officers of Horſe.
Lieut. Col. *Slaughter.*
Capt. *Hoſiers.*
Lieut. *Armſtrong.*
Cornet *Edmonds.*
Quarter-Maſt. *Nurſſe.*
Lieut. *Billingſley,* Reformado.
Col. *Broughton*'s Regiment of Foot.
Capt. *Hill.*
Capt. *Pauldon.*
Lieutenants.
Davenport.
Oliver.
Morgan.
Duppa.
Enſigns.
Vaughan.
Pritchard.
Porter.

Col. *Tillier*'s Officers of Foot.
Capt. *Church.*
Capt. *Dikes.*
Lieut. *Bashridge.*
Enſigns.
Harriſon.
Bowen.
Dillon.
Loftus, Senior.
Loftus, Junior.
Sir *Fulke Hunke* his Officers of Foot.
Lieut. *Rewes.*
Lieut. *Perryn.*
Enſign *Smith.*

Officers of Col. *Lucas* Regiment of Foot.
Capt. Lieut. *Parker.*
Lieut. *Johnſon.*
Lieut. *Cole.*

The Names of His Majeſty's Houſhold-Servants now in the Marſhall's Cuſtody.

Mr. Howen *Page of his Majeſty's Red-Chamber.*
Mr. Abbot *their Chamber-keeper.*
One Sumpter Man.
Four Foot-men of his Majeſties.
One Foot-man of Prince Maurice's.
Robert Markham *Yeoman of His Majeſty's Chandry.*
William Waſton, *Porter at Gate.*
Roger Jellybrand *of his Majeſty's Confectionary.*
One Groom of the Chamber.
And one Chamber-keeper belonging to the Duke of Lenox.
Nicholas Johnſton *belonging to His Majeſty's Groom Porter.*
Walter Whiſe *belonging to His Majeſty.*
James Spanier *Victualler.*
Francis Roſſell.

More Priſoners of War.

Col. Bunkley *of Horſe.*
Lieut. Col. Godfry.
Major More.
Captain King.
Lieutenant Griffin.
Lieutenant Nightingall.
Enſign Mulgrave.
Lieutenant Tench.
Thomas Mangainere *of the Princes Troop.*
Richard Addrings, *Princes Troop.*
John Piſſinch.
Joſeph Bromehall.
Sir William Vahan.
Morgan Evans, *the Queen*'s Regiment.

There were many taken laſt Night late near *Leiceſter,* and ſent to *Rockingham*-Caſtle; moſt of the Duke of *York*'s Life-Guard, and then the Colours of that Regiment were taken: Sir *John Norwich* took Colonel *Nevil* Priſoner.

Die Lunæ, 16 Junii, 1645.

IT is this Day Ordered by the Lords and Commons in Parliament Aſſembled, That *Thurſday* next ſhall be ſet a-part for a day of Publick Thankſgiving to Almighty God in all the Churches and Chappels within the Cities of *London* and *Weſtminſter,* and Lines of Communication, for the Great and Glorious Victory obtained by the Parliament's Army under the

the Command of Sir *Thomas Fairfax* againſt the Forces of the King. And that Mr. *Marſhall* and Mr. *Vines* be deſired to Preach at *Chriſt-Church* before the Parliament. And that the L. Mayor, Aldermen and Common Council do meet the Parliament there. And it is further Ordered, That *Friday* being the 27*th* of this Inſtant *June* be likewiſe ſet apart for a Publick Day of Thankſgiving for this Victory in all the Churches and Chappels in the ſeveral Counties of the Kingdom under the Power of the Parliament.

Jo. Brown Cler. Parliament.

General *Fairfax* endeavouring to improve this Victory, gave Orders for the Army, Horſe, Foot and Train, to march forwards the very next day, being *Sunday June* 15*th*, and made to *Glyn* four miles ſhort of *Leiceſter*, the Head-Quarter; the Horſe marching within a Mile of *Leiceſter* that Night, and kept Guards, which ſo alarm'd the Nobles and Gentry that had fled thither for ſecurity, that they departed thence in much haſte, leaving the Lord *Haſtings* to defend that Place.

This day he alſo received a full Intelligence of the ſtate of Affairs in the *Weſt*, by means of the contrivement of the Scout-maſter General, the manner thus: A Spy of his formerly employed by him to Secretary *Nicholas* in *Oxford*, was the day that the Army roſe from before that City, ſent to him again, (yet as coming of his own accord) to give him Intelligence, that the Army would that Morning march away, it being conceived that either the Secretary would ſend him, (or he might find ſome opportunity) to go into the *Weſt*, where General *Goring* then lay with his Army about *Taunton*, and bring the Intelligence deſired; accordingly it fell out: Into the *Weſt* he was ſent, firſt to *Bath*, where the Prince of *Wales* then was, to whom he brought the firſt News of the Parliament's Army riſing from before *Oxford*, from thence to General *Goring* about *Taunton*, who received him and the News very gladly, and looking upon him as a fit Inſtrument to be employed to the King, then about *Leiceſter*, and as they ſuppoſed, intending Northward; dealt with him, (as about buſineſs of great concernment) to carry a Packet of Letters to his Majeſty: The Fellow with ſome ſeeming difficulty ſuffered himſelf to be perſwaded, received the Packet, but brought them to *Fairfax* fairly Sealed up. *Fairfax* ſeemed unwilling to open the King's Letters. But *Cromwell* and *Ireton* prevailed to open them, wherein was ſignified that in three Weeks time (nine days whereof were then expired) General *Goring* was confident to maſter the Forces at *Taunton*, and by conſequence to ſettle the *Weſt* of *England*, in an abſolute poſture for his Majeſty's Service, and march up with a conſiderable Army to his aſſiſtance; adviſing the King by all means in the mean time to ſtand upon the defenſive, and not engage till his Forces were joyned with his Majeſty's. Had theſe Letters been delivered to the King (as they might have been but for this Defeatment) in all probability his Majeſty had declined fighting for the preſent, and ſtaid for thoſe Additionals: But as the want of this Intelligence was ſo fatal to his Majeſty, ſo the notice thereof quickned *Fairfax* to make ſpeed to Relieve *Taunton*; yet he being ſo near *Leiceſter*, and that Town in all probability eaſie to be regain'd, (conſidering the fear that they within were poſſeſſed withal by the loſs of the day at *Naſeby*) beſides the want of Men thereby, (in all likelihood) to make good their Works, he reſolved firſt to aſſay that; and accordingly

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ly *Monday*, *June* the 16*th* about Noon brought his whole Army before the Town; and ſent a Summons to the Lord *Haſtings*, to Surrender the Gariſon, with all the Ordnance, Arms and Ammunition therein, who returned a reſolute Negative Anſwer, as if he meant to defend it to the laſt Man; whereupon a Council of War being called, it was reſolved to Storm the Place. Warrants were ſent to the Hundreds to bring in Ladders, Carts, Hay, Straw, and other things requiſite for that purpoſe. In purſuance whereof great ſtore of Ladders were brought in on *Tueſday*, *June* the 17*th*, and a Battery was raiſed, upon which two Demi-Cannon and a whole Culverine taken at *Naſeby* were Planted, which played upon the Fortification called the *Newark*, being the very ſame Guns which the King not many days before had uſed againſt the ſame Place: The Lord *Haſtings* perceiving his condition was like to be deſperate, ſent a Trumpeter with a Letter to the General, deſiring a Parley concerning the Surrender of the Town, which was accepted of; Commiſſioners appointed to Treat, and Hoſtages on both Sides given; and the Treaty begun that Evening, and held Debate till Twelve a Clock that Night, then concluded upon theſe Articles.

Leiceſter Surrenders.

Articles of the Surrender of *Leiceſter*.

1. That the Lord *Loughborough* ſhould have Quarter granted him, and have Protection for his Perſon to be ſafely conveyed to the Gariſon of *Aſhby-de-la-zouch*.

2. That all Field-Officers, Colonels, Lieutenant Colonels, Serjeants, Majors, and Captains, and Lieutenants of Horſe, (but not of Foot) ſhall march away with their own particular ſingle Horſe and Arms, with Protection for their own Perſons.

3. That all the reſt of the Officers ſhall be conveyed ſafely to the Gariſon of *Lichfield* with Staves only, and no other Weapon in their hand.

4. That all common Soldiers have Quarter only for their Lives, and be conveyed to *Lichfield*, without any other Weapons, ſave only Staves in their hands.

5. That before Ten of the Clock, the ſaid Morning *June* the 18*th*, the Governour of the Town, and the Lord *Loughborough* and all the reſt of the Officers and Soldiers march out of the Gariſon according to the Agreement aforeſaid.

6. That Sir *Thomas Fairfax* be permitted to enter in at Ten of the Clock the ſaid *Wedneſday* Morning aforeſaid, with his Forces, and take Poſſeſſion of the Gariſon.

7. That all the Pieces of Cannon, Great and Small now in the Gariſon of *Leiceſter*, be left to Sir *Thomas Fairfax*.

8. That all the Arms and Ammunition now in *Leiceſter* be left to Sir *Thomas Fairfax*, ſave only what is agreed to for the Officers of Horſe aforeſaid.

9. That all the Proviſions, Colours, Bag and Baggage be alſo left to Sir *Thomas Fairfax*.

10. That all the Horſe (ſave only thoſe excepted for the Officers aforeſaid) that are in the Gariſon of *Leiceſter* be delivered up to Sir *Thomas Fairfax* for the Service of the Parliament.

11. That all the Officers and Soldiers have Quarter for their Lives.

12. That all the Priſoners of War that are in *Leiceſter* at the ſame time be releaſed and ſet free to ſerve the Parliament.

The Guards and Centinels in the Gate-houſe Priſon in the *Newark* hearing of the Concluſion of the Articles, about Four a Clock on *Wedneſday* Morning went away from their Duty, and left their Arms

Arms behind them, and the Priſon-door open, whereupon the Priſoners went out, and finding the Gariſon a Plundering, they fell a Plundering too. About Seven a Clock all the Guards were drawn off, the Soldiers on the Line threw down their Arms, quit their Poſts, and the Gates were opened, which gave Invitation to divers of *Fairfax*'s ſtragling Soldiers to get into the Town at the Ports, and over the Works; Complaint hereof being made to *Fairfax* by ſome from the Lord *Loughborough*, of the Violation of the Articles by his Soldiers: He ſent to the Lord *Loughborough* to keep all his Men upon their Guards, and if any offered violently to enter the Town before the time, to fire upon them, and immediately iſſued out a Proclamation, commanding the punctual obſervance of the Articles by his own Soldiers under pain of death. But the Lord *Loughborough* inſtead thereof mounted on Horſe-back in the Morning with divers Gentlemen (Officers and others) and left the Town ſome hours before the time appointed for his marching forth; ſo that when *Fairfax*'s Commiſſioners came at the time appointed to ſee the Articles perform'd, they found his Lordſhip gone, and the Town in confuſion, but the Soldiers were Commanded off, and things ſoon put into ſome convenient order, and then about Eleven a Clock the Army entred the Town, where they found divers Commanders of Note, *viz.* Serj. Maj. Gen. *Eyres*, Col. *Liſle*, Lieut. Col. *Mouldſworth*, Lieut. Col. *Pemberton*, Major *Naylor*, Major *Trollop*, and divers Perſons of Quality, all Wounded in the late Battel.

21 *Caroli.*

Lord *Loughborough* marches out of *Leiceſter.*

Here were taken in the Town Fourteen Pieces of Ordnance, Thirty Colours, about 2000 Arms, fifty Barrels of Powder, and other Ammunition in good proportion.

The next day being *June* the 18*th*, Money being come down from *London*, the Army was Muſter'd.

Leiceſter being thus regain'd on the 18*th* of *June*, *Fairfax* was in ſome doubt whether he ſhould march after the King, whom he had Intelligence was raiſing new Forces on the Borders of *Wales*, or advance to Relieve that part of his Army which was now Beſieged in and about *Taunton*, and which by the late gain'd Intelligence, were not in a condition long to ſupport themſelves; nor was *Maſſey* who was ſent that way able to ſuccour them, being not above 3000 ſtrong, ſo that General *Goring* was in a condition both to keep off him and continue the Siege. And if *Taunton*, and conſequently that Party ſhould be loſt he eaſily foreſaw of what conſequence it would be to the Parliament's Intereſt, when his Majeſty's Forces ſhould poſſeſs the whole *Weſt*, (except the Gariſons of *Lime*, *Pool*, and *Weymouth*) intirely to themſelves, and therefore his march thither ſeem'd abſolutely requiſite: But being unwilling to determine himſelf in ſo weighty a caſe, ſent to the Parliament for their Directions. And in the mean time on the 20*th* of *June* drew out of *Leiceſter* to *Lutterworth*, and the next day to *Lillington* in *Warwickſhire*, ſo to *Warwick* on the 22*th*, and to *Clifford* in *Glocesterſhire*, thence to *Campden*, thence to *Northledge* (fourteen miles,) and on the 26*th* came to *Lechlade*, where his Forlorn ſurprized ſome of the King's Soldiers belonging to *Radcot* Gariſon, ſhot Lieut. Col. *Nott*, and took four Priſoners.

Fairfax deliberates of Relieving of *Taunton.*

In their March to *Wanborough*, Friday *June* the 27*th*, they took in *Highworth* Gariſon, being a Church Fortified by a Line and Bulwarks, and therein Major *Hen* the Governour, and about ſeventy

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Priſoners; and becauſe it ſtood conveniently in a Line for *Malmeſbury*, appointed the Governour of that Town to continue an Out-Gariſon there, for inlarging his Quarters.

From *Wanborough* the Army marched to *Burchalk* in *Wiltſhire*, by three Stages; and by the way on the *Sunday* (*June* 29.) while they reſted at *Marlborough*, ſent out ſome Spies to *Taunton*, to give them notice of the Army's advance for their relief. Thence after a Rendezvous at *Stonehenge*, they marched in Battalia upon *Salisbury*-Plain, and ſo came on *Wedneſday*, *July* 2. to *Blandford*, and in their march took Mr. *Penruddock*, and one *Fuſſell*, two Captains of the *Club-men* (as they were called) being a great Number of the Inhabitants of ſeveral parts of *Wiltſhire*, and ſome Counties adjacent, who gathered themſelves together, alledging they did but ſtand on their own defence, to prevent Plundering; and that they would in that poſture remain Neuters until the King and his Parliament ſhould agree; but in truth moſt of the Leading Men amongſt them favour'd the King's Party; (and had they had opportunity, would no doubt openly have ſhewed themſelves for his Majeſty's Service.) Theſe two Gentlemen being Examined, and promiſing not to appear any more in that buſineſs, were diſcharged.

In this days march was a Soldier executed, being by the Country apprehended and accuſed, for plundering of a Gentleman paſſing on the way near *Marlborough*.

Thurſday July 3. *Fairfax* marched from *Blandford* to *Dorcheſter* 12. miles, a very hot day, where Col. *Sidenham* Governour of *Weymouth* gave him information of the condition of thoſe Parts, and of the great danger of the *Club-riſers*; who would not ſuffer either Contribution or Victuals to be carried to the Parliament's Gariſons. And the ſame Night Mr. *Hollis* of *Dorſetſhire* the Chief Leader of the *Club-men*, with ſome others of their principal Men came to *Fairfax*, and Mr. *Hollis* own'd himſelf to be one of their Leaders, affirming that it was fit the People ſhould ſhew their Grievances and their Strength. *Fairfax* Treated them civilly, and promiſed they ſhould have an Anſwer the next Morning; for they were ſo ſtrong at that time, that it was held a point of prudence to be fair in demeanor towards them for a while; for if he ſhould Engage with General *Goring*, and be put to the worſt, theſe *Club-men* would knock them on the heads as they ſhould fly for ſafety.

The *Club-men*.

That which they deſired from him was a ſafe Conduct for certain Perſons to go to the King and Parliament with Petitions: Thoſe aſſigned to the King were Dr. *Henry Goche* of *Trinity*-Colledge in *Cambridge*, and Mr. *Thom. Bromwell* Divines, *John St. Loe*, *Peter Hoskins*, Eſquires, Mr. *Thom. Young* an Attorney, and *Mr. Rob. Pawlet*, Gentleman. To the Parliament *Mr. Melchizedeck Waltham*, Mr. *Richard Hook*, two Divines, *Thom. Trenchard*, *Robert Calliford*, Eſquires, *George Hawleys*, *Richards* and *Newmen*, Gentlemen.

The *Club-men* deſire their Petitions to be ſent to the Parliament.

Mr. *Hollis* tendered to the General the Petitions, ſo to be conveyed; as alſo certain Articles of their *Aſſociation*: The Articles were,

That the Aſſociates provide Arms, ſet Watches, be quiet with them that are ſo, lay hold on diſorderly Soldiers, bring them to the next Gariſons, not to deny Quarters and Contributions to their ability: Till their Petitions be delivered, not to favour either Party, nor to protect any not Aſſociated.

The

21 *Caroli.*

The Heads of the Petitions were:

*To deſire a renewed Treaty, with a Ceſſation, as alſo that the Gariſons of *Dorſet* and *Wiltſhire* be put into their hands, till the King and Parliament agree about their diſpoſal. That they be free from all Charge, but the Maintenance of thoſe Gariſons. That all Laws not repealed, be in force and executed by the ordinary Officers. That all Men who deſire it, may lay down Arms. That others that have abſented themſelves from their Dwellings may have free liberty to return and live at home.

After Speech had with them, and ſome Conſultation what to do in the Buſineſs, he returned his Anſwer in Writing as followeth.

Fairfax's Anſwer to the Club-men.

ALthough the Papers brought to me, being not Subſcribed, cannot challenge my Anſwer, yet to clear my ſelf from any averſeneſs, to the ſatisfaction of the Country, who are pretended to be Intereſted in theſe Petitions, I return this,

That my Affections and the Affections of this Army are as much inclined to Peace, as any Mens whatſoever; and we undertake the War for no other end, but the Eſtabliſhing of a firm and happy Peace, by oppoſing the Enemies thereof; and that I ſhall be ready, ſo far as concerns me, to further all lawful and fit means to procure it: But having ſeen the Petitions, upon which a Let-paſs is deſired, I muſt profeſs my ſelf not ſo well ſatisfied with ſome things contained in them, as to concur to their delivering by any act of mine: In particular, in that a Ceſſation is deſired; whilſt by Letters written by the King and Queen, taken at the late Battel of *Naſeby*, it evidently appears that Contracts are already made for the bringing in 10000 *French*, and 6000 *Iriſh*. It is further deſired, that the Gariſons in theſe Parts, whereof three are Sea-ports, ſhould be delivered up to the Petitioners; which to grant, were for the Parliament to acquit part of the Truſt repoſed in them by the Kingdom; and conſidering theſe Foreign Preparations, to run very great hazard to thoſe Ports themſelves, and to the whole Kingdom. Thirdly, It is propounded that liberty be given to all Soldiers to disband, and to return to their home, if they deſire it; which may with equal Juſtice be deſired by all Parts of the Kingdom, and ſo the Parliament made unable to manage the War, before Peace be ſetled.

Theſe Conſiderations with ſome other yet to be debated, will not allow me to grant the deſire of the Letter: But as for that part of the Petition which declares the Grievances of the Country by Plunder and Violence, committed either by Gariſons or Armies: I do hereby promiſe and undertake for the Gariſons and Armies under the command of the Parliament, that whatſoever diſorders are committed by them, upon complaint, making known the offences and perſons, juſtice ſhall be done, and ſatisfaction given: As alſo I ſhall endeavour that the Parliament's Gariſons may be regulated according to any reaſonable agreement with the Country; and without doubt the Parliament will cauſe them to be ſlighted, ſo ſoon as the condition of thoſe Parts, and the publick good ſhall permit; and that the Army under my Command ſhall be ordered as may be moſt for the good and advantage of theſe Counties, and of the whole Kingdom; of which ſome reaſonable Teſtimony is already given, in their quiet and orderly paſſage from theſe and other Counties, without many of thoſe Complaints which uſually follow Armies.

I further deſire that in the publiſhing this my Anſwer to your requeſt, all aſſembling the People to Publick Rendezvous may be forborn, and that Copies hereof may be diſperſed to the ſeveral Pariſhes, that the Country may be acquainted therewith.

Tho. Fairfax.

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The Army marched that day from *Dorcheſter* to *Beawminſter*, the Train and moſt of the Foot Quartered on the Top of an Hill, ſome few in *Beawminſter* Town, the greateſt part of which had lately been burnt down when Prince *Maurice* was there.

In the mean time General *Goring* advertiz'd of *Fairfax*'s March, had raiſed his Army from before *Taunton*, and was marched towards *Langport*.

Thus was *Taunton* the ſecond time Relieved, (being greatly diſtreſſed both for Ammunition and Victuals.) In which laſt Siege the Parliament's Party loſt Col. *Lloyd*, and Col. *Richbell*, and ſeveral other Officers: But on the King's Side were alſo loſt divers Perſons of Quality, amongſt whom Sir *John Digby*, Brother to Sir *Kenelm Digby*, receiv'd a mortal Wound, of which ſoon after he died.

Fairfax at Crookhorn.

The *5th* and *6th* of *July*, *Fairfax* kept his Head-Quarters at *Crookhorn*, and General *Goring* with his Forces kept the Paſs at *Load-Bridge* with a ſtrong Guard, and alſo pulled down *Pederton-Bridge*, and made Breaſt-works on the other ſide: But upon the Approach of a Party under Col. *Fleetwood*, quitted the latter Paſs; whereupon *Fairfax* ordered that Bridge to be made up again, and planted a conſiderable Guard there.

General *Goring* continued at *Long-Sutton*, keeping a Guard at *Load-Bridge*, and making good the Gariſon at *Ilcheſter* and *Langport* the two Paſſes upon the River, and had broken down the Bridge higher up the River towards the Town of *Evil*. *Fairfax* on *Monday* the *7th* of *July* by Six of the Clock in the Morning drew his Foot to a Rendezvous in a Field about a Mile from *Crookhorn* in the way to *Pederton*, and with a Commanded Party went to view the Paſs at *Load-Bridge*: General *Goring* ſeeing their Horſe appear in great Numbers, drew up his Foot, and ordered ſome Regiments to march from *Load-Bridge* along the River-ſide to *Ilcheſter*, fearing they might Storm that place; and the Horſe diverted themſelves in Skirmiſhes upon the Meadows near the River by Parties all that day. In the Field *Fairfax* called a Council of War to conſider what was to be done; for *Goring* keeping beyond the River, and having the Gariſons of *Ilcheſter*, *Langport*, *Burrough* and *Bridgewater*, there was no coming on that ſide; and to attempt a paſſage where an Enemy ſtood in good order, ready to receive them, and it being alſo a *Moraſs*, ſeemed deſperate. And on the Right-hand the Bridge at *Evil* being broke down, and a Guard upon it, and on all the Bridges on that ſide, there ſeemed no convenient paſſage nearer than the Head of the River about *Sherburn*, which would prove a tedious and difficult March.

In fine, they reſolved to march the greateſt part of the Army to *Evil*, and there to force their way, leaving in the mean time a convenient Force of Horſe and Foot over againſt *Ilcheſter* and *Load-Bridge*, to Engage *Goring*'s Troops if they ſhould advance on that ſide: In purſuance of this Reſolution *Fairfax* marched to *Evil*, and made that the Head-Quarter for that Night, *Goring*'s Horſe Retreating to *Ilcheſter*, and ſoon after General *Goring* drew his Army towards *Langport*, and quitted *Load-Bridge*, and *Ilcheſter*, leaving the Works undemoliſhed, only ſetting Fire to the *Bridewell* which they had Fortified, but the Inhabitants ſoon quench'd, and ſaved the ſame.

Upon

Upon notice hereof *Fairfax* declining the Paſs at *Evil*, marched back towards *Ilcheſter* on the ſame ſide of the River, and Quartered there that Night. And General *Goring* having detached part of his Army, which 'twas thought might be deſigned to ſurprize *Taunton*, hoping to find them now in ſecurity; wherefore Maj. Gen. *Maſſey* with his Brigade of Horſe, and ſome Dragoons were diſpatch'd after them to attend their motion; and on *Wedneſday*, *July* the 9*th*, *Fairfax*'s Army being at *Long-Sutton*, he had advice that *Maſſey* was near an Engagement, and therefore forthwith Ordered Col. *Montague* to march with 2000 Muſquetiers to his aſſiſtance, it being an Incloſed Country, where Foot would be moſt ſerviceable. But before they came up, *Maſſey* had worſted that Party, and taken Nine Colours, and between two and three hundred Horſe: In which Action Col. *Cook* was ſhot through both Cheeks. *21 Caroli.*

All this while General *Goring* ſtanding on his Advantages, as being Maſter of the Paſſes on the River, had declined to Fight, being inferior in ſtrength, and waiting to be Recruited with ſome Forces he expected to Joyn him, but finding they came not, thought fit now to draw off to *Bridgewater*, and ſent away moſt of his Cannon and Carriages thitherwards, but the better to ſecure his Retreat by keeping the Paſs; ſent over Muſquetiers to Line the Hedges, and brought down two Cannons, and his Horſe and Foot to Guard the Paſs, and drew up in a poſture to receive the Enemy if they ſhould preſs on: But *Fairfax* drew down his Ordnance to ſuch Places of advantage that they did great Execution on *Goring*'s Army, who ſtood in good Order on the Hill, about Muſquet-ſhot from the Paſs, and forced them to draw off their Ordnance, and their Horſe to remove their Ground. And then the Parliament's Foot thunder'd down the Hill, and Charged reſolutely from Hedge to Hedge till they had gain'd the Paſs: Upon which *Goring*'s Horſe drew down towards them, and a Forlorn of about 120 Horſe was Ordered by *Fairfax* to advance over the Paſs up the Hill, Commanded by Major *Bethel*, who tho' the Lane were very narrow, forced his way, and beat back two Bodies of Horſe, being of General *Goring*'s own Brigade, and brake them at Swords Point; but then they Charged him with freſh Troops, and beat him back. At which time Major *Desborough* with his Reſerve came up to his Relief, and *Bethel* facing about and Joyning with him, they gave ſuch an effectual Charge as put *Goring*'s Men to a Retreat, and then the Muſquetiers coming up with the Horſe, ſome of *Goring*'s Foot began to fly before ever they were Engaged, which put all the reſt into confuſion, ſo that *Fairfax*'s Horſe had the Chaſe of them almoſt to *Bridgewater*, for they quitted *Langport*, and fired it, hoping thereby to ſtop the purſuit; but *Fairfax*'s Men not reguarding that, made their Paſſage after them between the Flaming-Houſes, and the Paſſes being narrow in many Places, it was very difficult to eſcape them, ſo that they took about 1400 Priſoners, and 1200 Horſes, many of their Riders deſerting them, and getting away over the Meadows and Encloſures. There was thought to be in all about 300 of the King's Party ſlain. Of the Priſoners of Note taken, were Col. *Slingsby* General of the Ordnance, and Col. *Henningham*, and Lieut. Col. *Preſton*, Four Captains of Horſe, Eleven Lieutenants, Twenty Cornets of Horſe, and above Thirty Colours of Horſe and Foot; as alſo the Two Pieces of Cannon before mentioned, and a great Number of Arms. On the Parliament's ſide were loſt Two Reformado Captains, The Fight at *Langport*, *July* 10*th*.

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tains, Col. *Butler's* Capt. Lieut. and above fifty others, and Col. *Cook*, and Major *Bethel*, and about Sixteen of his Troop Wounded.

After this Battel the Parliament's Army marched the ſame day five miles to *Middleſay* in the way to *Bridgewater*; and next day the whole Army, Horſe and Foot with the Train, were drawn up in *Weſton-Moor*, otherwiſe called *Penſy-Pound*, two miles from *Bridgewater*. The Country-men thereabouts roſe in great Numbers, and with their Colours, Clubs, and Arms, appeared upon *Knol-Hill*; which being made known to the General, he with the Lieutenant General and other Officers, marched up to them, who ſeemingly received him with Joy, and in token thereof gave a Volley of Shot; whence after ſome conference with them, and their Leader, who made a Neutral Speech, the General returned, and the Army that Night went to Quarter, the Head-Quarter that Night being appointed at *Chedſay*, within two miles of *Bridgewater*.

Friday, *July* the 11*th*, Col. *Welden's* Brigade was commanded on the North-ſide of the Town of *Bridgewater*, towards *Devonſhire*, and the reſt of the Army on this ſide towards *Chedſay*; the Guards being ſet, *Fairfax* and *Cromwell* went to view the Town, which they found to be very ſtrong, ſtanding in a Valley, yet glorying in the Equality of its Level with the Ground about it, there being not a clod that could afford any advantage againſt that Place. The Fortifications regular and ſtrong, the Ditch about it deep, and about thirty foot wide, which for a great part about the Town, was every Tide filled up to the brim with water, the compaſs of Ground within the Line and Works not great, very well Manned, having in it about 1800 Soldiers to defend it: Within the Town was a Caſtle of indifferent ſtrength, there was planted on the ſeveral Batteries about forty Piece of Ordnance; well ſtored with Ammunition, and Victuals, being a Magazine for his Majeſty's ſmaller Gariſons thereabouts.

Saturday and *Sunday* July 12*th* and 13*th* they continu'd at *Chedſay*; and Col. *Okey* having (from that day the Battel was at *Langport*) Beſieged *Burrough*-Gariſon with his Dragoons, had the ſame Surrendred unto him upon Quarter, wherein were a hundred and forty Priſoners, the Officers being promiſed fair uſage.

Deliberations about the manner of taking the Town of *Bridgewater.*

Monday, *July* the 14*th*, a Council of War was called, Great Debate whether to ſtorm the Town, or not, ſome inclination to it, but no poſitive reſolution; notwithſtanding preparations were made, but upon further conſideration were for that time drawn back to their Quarters; and more time being taken, there were eight Long-Bridges, betwixt thirty and forty Foot length, deviſed to be made by Lieut. Gen. *Hammond* the Lieut. Gen. of the Ordnance, which were approved of by the Commanders and Officers, and of very great uſe to the Soldiers in the Storm.

Tueſday, *July* the 15*th* the General went to *Glaſtenbury*, and returned that Night to the Head-Quarter.

Wedneſday, *July* the 16*th*, a Council of War was again called, and ſeveral Propoſitions were made for the Freeing of the Army and Reduction of the Town. To riſe with their whole Army, and leave the Town unattempted, was conceived to be very prejudicial to their future Progreſs; to ſit down before it (being a place of that ſtrength, if not ſure to carry it) leaving the King at liberty to rally his Forces, ſeemed very hazardous.

The

21 *Caroli.*

The Blocking of it up by Forts on both ſides with a part of the Army was propounded; but the difficulty of laying the Bridge over the River through the violence of the Current, (which yet would be neceſſary for the maintaining a Communication between the Quarters on both ſides) hindered the deſign.

It was alſo propounded to attempt it by Approaches; but it was conſidered, that if they ſhould go that way, it would prove very tedious; and if during their ſtay about it any great glut of Rain ſhould have fallen, it would lay them wet in their Trenches, and diſable them from effecting the buſineſs.

Agreed upon to Storm it.

At laſt, a reſolution *to ſtorm* it, was agreed upon, though it carried the greateſt danger with it. For which purpoſe Lots were drawn for every one to take their Poſts, ſome to Storm, ſome to be Reſerves, others to alarm, but the time of falling on was not determined till *Friday*, *July* the 19*th*, that it ſhould be on the *Monday* Morning following, towards dawning of the day. The Brigade appointed on that ſide towards *Devon* was Commanded by Major General *Maſſey*, only to alarm on that ſide, being the Regiments of Col. *Welden*, Col. *Ingolsby*, Col. *Forteſcue*, Col. *Herbert*, Col. *Birch*, and Maj. Gen. *Maſſey*'s own Regiment: The Regiments deſigned on this ſide to Storm were the Generals, Col. *Pickering*'s, Col. *Montague*'s, Sir *Hardreſs Waller*'s, the Regiment Commanded by Lieut. Col. *Pride*, Col. *Rainsborough*, and Col. *Hammond*'s. The General rode round about the Town this day, to ſee if all things were in readineſs for the *Storm*, that both ſides might fall on together.

On the Lords-day, *July* the Twentieth, after both Sermons, the Drums Beat, the Army was drawn out into the Field; and as ſoon as it grew dark, the Soldiers drew every one to their ſeveral Poſts allotted them to Storm; the Sign when the Storm was to begin, was, the ſhooting off three Pieces of Ordnance on this ſide, which the Forces on the other ſide were to take notice of, and to fall on the ſame inſtant. Accordingly on *Monday*, *July* 22. about Two of the Clock in the Morning, the Storm began on this ſide of the Town, (the Forces on the other ſide only giving an Alarm which kept the Gariſon upon the Line;) the Forlorn-hope was led on by Lieut. Col. *Hewſon*, and ſeconded by the General's Regiment, commanded by Lieut. Col. *Jackſon*; and the Major General's commanded by Lieut. Col. *Aſhfield*. The Bridges prepared to paſs over the Moat, were quickly brought to the Ditch, and thrown in, on which the Soldiers with little loſs got over the deep Ditch, and mounted the Works (notwithſtanding the great number of ſmall ſhot which ſhowr'd about them) beat them from their Ordnance, turn'd them upon the Town, and let down their Draw-Bridge, which made many of their Foot cry Quarter; Captain *Rainolds*, who commanded the Forlorn-hope of Horſe, immediately entred, and ſcoured the Streets of that part of the Town ſo gained, called *Eaſtover*, to the Draw-Bridge over the main Ditch, leading to the ſecond Town; whereupon the reſt of the Officers and Soldiers that were in a Body, and yet annoyed the Aſſailants in that part of the Town which they had won, threw down their Arms, and had Quarter given them; (there were about Six hundred taken Priſoners, Officers and Soldiers.) But the King's Party in the ſecond Town inſtantly made Barricadoes at the Gate upon the Bridge, and drew up the Bridge that divided one part of the Town from the other. *Fairfax*'s Forces had not been two Hours in

Ann. 1645. the firſt Town, but they were pelted with Granadoes and Slugs, of hot Iron, which Fired it on both ſides, which by the next Morning burnt that part of the Town (of goodly Buildings) down, to the Ground, except three or four Houſes, yet Major *Cowell* ſtood all that while in the midſt of the Street, which was both ſides on fire, keeping Guards to prevent a Sally. Capt. *Sampſon* in that remarkable Action received a ſhot.

The General hoping that the Storm might have wrought upon the Soldiers, and the Fire upon the Townſmen, ſo far that they would have hearkned to Treaty, renewed his Summons, which the Governour ſtoutly refuſed; whereupon *Tueſday*, *July* the 22*th*, it was reſolved to Alarm the Town by Forces on this ſide, and to Storm it on the other ſide, at Two of the Clock the next Morning; for which purpoſe the General was there in Perſon to ſee it done, though it was held fit on after Conſiderations, only to Alarm on both ſides, which much amazed the Gariſon, and kept them waking all that Night. Alſo about Two of the Clock in the Afternoon, the General ſent to the Governour a Trumpet with a Meſſage, to this purpoſe: That his denial of fair Terms had wrought in him no other thoughts, but of compaſſion towards thoſe that were innocent, who otherwiſe might ſuffer; wherefore he ſignified that all Women and Children that would accept of this liberty, ſhould come forth of the Town by Four of the Clock in the Afternoon: Whereupon the Governour *Windham*'s Lady ſaid to the Meſſenger, Tell thy General, (laying her hand upon her Breaſts, which ſhe ſaid gave Prince *Charles* Suck) we will hold it out to the laſt. But the next day the Governours Lady and divers others, were of another opinion, and came out when the Cannon play'd fiercely into the Town, and Granadoes were ſhot, and Slugs of hot Iron in abundance, whereby ſeveral Houſes in that Town were fired, and the Wind being high increaſed the Flame, the Townſmen within were in great diſtraction, every Man imployed how to ſave his Houſe and Goods, the Gariſon was in a great amazement, ſo that the Governour thought fit to ſend forth Mr. *Tho. Elliot* to know the General's Terms, who refuſed to admit of any Treaty at all: However they offered theſe Particulars.

Firſt, That the Governour with all the Officers and Gentlemen that were in the Town, with their Servants, Horſes, Swords, Piſtols and Cloak-Bags, might march with a ſafe Conduct to *Exeter*.

Secondly, That all the Soldiers might likewiſe march to *Exeter*, leaving their Arms.

Thirdly, That all Clergy-men in the Town, and Townſmen might have liberty to march with them, or abide at home.

Edmund Windham.

Whereunto the General returned theſe:

1. To all their Lives.
2. To the Inhabitants, their Liberty and Freedom from Plunder.
3. Neither Officers nor Soldiers to be Plundered of the Clothes they had upon them.
4. The Gentlemen to be diſpoſed of as the Parliament ſhould appoint, and in the mean time to have Civil Uſage.

Six Hoſtages to be ſent, and an Anſwer in a Quarter of an Hour.

Tho. Fairfax.

The

21 *Caroli.*

The Governour returned Anſwer, That he found thoſe Propoſitions ſo ill reſented, both by the Gentlemen and Soldiers, that he could not accept of them.

Fairfax thereupon gave Order to the Soldiers to ſtand upon their Guards, and go to their Duties. Mr. *Elliot* deſired nothing might be done till he returned, leaving Sir *John Heal* as Caution, which was agreed to: And he preſently returned with an Anſwer of accepting the laſt Articles; only added for himſelf, that he might have liberty to carry the News to the King upon his Parol.

Thereupon the Hoſtages were ſent, *viz.* from the Town Sir *John Heal*, Sir *Hugh Windham*, Mr. *Waldron*, Mr. *Warr*, Mr. *Siddingham*, Mr. *Speak*, and others ſent by *Fairfax* into the Town to them.

They were to deliver the Town, and yield themſelves Priſoners the next Morning by Eight of the Clock; and all that Night they employ'd themſelves to quench the Fire in the Town. The loſs of Men in the Storm were not many; Mr. *Martin* an Officer in the Train had his Leg ſhot, and afterwards cut off, whereof he died.

Wedneſday, *July* 23. the Town was Surrendered, about 1000 Officers and Soldiers, beſides Gentlemen and Clergy, marched out as Priſoners. There were taken in the Town about forty four Barrels of Powder, 1500 Arms, forty four Pieces of Ordnance, 400 weight of Match, Goods of great value, that had been carried for ſecurity into that place, and were ſeiſed by the Commiſſioners of the Parliament and Sold; and Three Shillings a Man raiſed upon the Sale, to be beſtowed as a Reward upon the Common Soldiers for their Service in Storming of the Place.

The taking this Town was of conſiderable advantage to the Parliament, for by it a Line of Gariſons was drawn over that *Iſthmus* of Ground between the South Sea and *Severn*, by *Bridgewater*, *Taunton*, *Lime*, and *Langport*, it being from *Bridgewater* to *Lime* little above twenty miles, by which the Counties of *Devon* and *Cornwall*, then wholly at the King's Devotion, except *Plimouth*, were in a manner block'd up from all intercourſe with the Eaſtern Parts: And likewiſe this being taken, their Army was at liberty for further Exploits.

Friday, *July* 25. a Council of War was called, to adviſe whether to march up *Weſt* to General *Goring*, or to ſtay in the *Eaſtern* Parts to curb the *Club-men*; and in favour of this latter, it was conſidered, that the Army wanted Ammunition to march far *Weſt*, to undertake any conſiderable action; and there being alſo ſeveral Gariſons of the King's, by which the *Club-men* were Encouraged to ſhew themſelves. It was therefore inclined unto by ſome, that the Army ſhould firſt make it their buſineſs to reduce the *Club-men*, and to that end, to attempt the taking, or at leaſt the Blockading of that Gariſon, which moſt countenanced them, *viz.* *Sherborn*-Caſtle, where Sir *Lewis Dives* an active and reſolute Soldier was Commander in Chief; but the determination of the Council of War was, notwithſtanding to advance rather more *Weſt*, to proſecute this late Succeſs at *Langport* and *Bridgewater*, and hinder *Goring* from rallying his Forces, or raiſing any conſiderable Body, leaving ſome Force to attend Prince *Rupert*'s motion about *Briſtol*, and to diſturb the *Club-men* if they frequented meetings as formerly. A March being thus reſolv'd on, it was accordingly undertaken on the

Ann. 1645. Morrow, whence the Army marched to *Martock*, ten miles, where reſting the *Lords-day*, there was a Thankſgiving for the Succeſs in the taking of *Bridgewater*. The General, tho' he accounted it his greateſt ſafety, to act according to the advice of his Council of War, yet was at this time much troubled in his own thoughts concerning his March further *Weſt*, before *Bath* and *Sherborn*, and the *Club-men* were reduc'd, reckoning it alſo a Service of Importance to take in *Bath*, in order to the ſtraitning of *Briſtol*, and hindering Prince *Rupert* from raiſing any conſiderable Force in thoſe Parts.

Whereupon his Excellency took a Reſolution to march back, and accordingly came to *Wells* that Night, with part of the Army and Train, being fourteen miles, and ſent a Brigade of Horſe and Foot unto *Sherborn*, under the Command of Colonel *Pickering*, to face that Garriſon, and if there were hopes to reduce it, to ſit down before it, in order to a Siege. The Horſe-quarters this Night were nearer unto *Bath*, and more Forces were ſent to get between *Bath* and *Briſtol*; having Intelligence that their Diſtractions were ſuch in *Bath*, the Townſmen not willing to bear Arms, nor yet to receive Soldiers from *Briſtol*, which was then infected, and the Soldiers too few to keep it, ſo that the Governour Sir *Tho. Bridges* had quitted it, had not Prince *Rupert* ſent about 100 Men to him with poſitive Orders to ſtay; that they would eaſily be driven to quit it: And in the mean time the General ſtayed at *Wells*.

Bath taken. *Tueſday* the 29*th*, Col. *Rich* faced *Bath* with Horſe and Dragoons, Summoned the Town, but the Governour refuſed to Surrender. Towards Evening ſome Dragoons Commanded by Col. *Okey*, were drawn near the Bridge, and crept on their Bellies over it to the Gate, ſeiſed on the ſmall end of the Guards Muſquets, which they put through the Loop-holes of the Gate, taking hold of the Barrels of the Muſquets, and cried to them within to take Quarter; whereupon they ran to their Work which flankered the Bridge, and left their Muſquets behind them. The Aſſailants on this advantage inſtantly fired the Gate, and became Maſters of the Bridge, upon which the Deputy-Governour ſent for a Parley, and the Town was yielded upon Articles, making the Common Soldiers, who were about 140, Priſoners, and having Conditions for the Officers to march away to what Garriſon they pleaſed. There were found in the Town Six Pieces of Ordnance, Four hundred Arms, Twelve Barrels of Powder; the Works, beſides the Wall of the City, ſtrong and tenable. Prince *Rupert* was advanced with a Party of Fifteen hundred Horſe and Foot from *Briſtol*, within four miles to relieve it, but coming too late retreated.

The motions of *Fairfax*'s Army in the *Weſt*. *Wedneſday*, *July* the 30*th*, the Army was drawn up to *Mendeep* Hills, with intention to march to *Bath*, but upon Intelligence the Horſe and Dragoons alone had taken the Town, *Fairfax* ſent back the Army to *Wells*, marching only with two Regiments of Foot to *Bath* (which he intended to leave there for the ſecurity of that place, and parts thereabouts.) The General Quartered there that Night, and ſetled things for the ſafety of that Place, and in the Afternoon following returned to *Wells*, leaving two Regiments at *Bath*.

Friday, *Auguſt* the firſt, the Army marched from *Wells* to *Queen-Camel*, where the Head-Quarter was that Night, but the General himſelf went with a few Horſe to *Sherborn*, viewing the Works and Caſtle,

Caſtle, and Quartered there that Night. And on *Saturday*, *Auguſt* the ſecond, the General and Lieut. Gen. rode again to the *Lodge*, and upon a ſecond view and obſervation, conceiving the Place reducible, Guards were appointed nearer, and Orders given for a cloſe Siege. 21 *Caroli.*

That day Intelligence came that the *Club-men* of three Counties, *viz.* *Dorſet*, *Wilts*, and *Somerſet*, were to meet at *Shaftsbury*, and might be ſurprized. Whereupon Col. *Fleetwood* was Commanded forth with a good Party of Horſe, who accordingly incompaſſed them in the Town with about 1000 Horſe, and took about fifty, whereof Mr. *Hollis*, *Carey*, *Young*, *Cradock*, and Dr. *Goche* were the Chief, who being brought Priſoners by a Guard of Horſe, were after the reducement of *Sherborn*, ſent to *London* with other Priſoners.

On the *Lords-day*, *Aug.* 3. News came that all the Country of *Wilts* and *Dorſet*, and part of *Somerſet* were up in Arms, and would have a Rendezvous of 10000 Men at leaſt, to fetch off their Leaders; but privately *Fairfax* underſtood it was to Interrupt his Siege, and to hinder Proviſions from coming to the Leaguer; giving out withal, that General *Goring* with his Army was coming out of the *Weſt* to Relieve *Sherborn*.

On *Monday*, *Aug.* 4. L. Gen. *Cromwel* having Intelligence of ſome of their Places of Rendezvous, for their ſeveral Diviſions, went forth with a Party of Horſe to meet with them, and towards *Shaftsbury* diſcovered ſome Colours upon the top of an high Hill, full of Wood and almoſt inacceſſible; a Lieutenant with a ſmall Party was ſent to them to know their meaning, and to acquaint them that the Lieut. Gen. of the Army was there. Whereupon one Mr. *Newman* one of their Leaders thought fit to come down, and told *Cromwell* their intent was to know why the Gentlemen were taken at *Shaftsbury* on *Saturday*? The Lieut. Gen. return'd this Anſwer, That he held himſelf not bound to give him or them an account: What was done was by Authority, and they that did it were not reſponſible to them that had none: But not to leave them wholly unſatisfied, he told him that thoſe Perſons ſo met, had been the occaſions and ſtirrers of many Tumultuous and Unlawful Meetings, for which they were to be tryed by Law; which Tryal by them ought not to be queſtioned, or interrupted. Mr. *Newman* deſired to go up to return the Anſwer. *Cromwell* with a ſmall Party went with him, and had ſome Conference with the People to this purpoſe: That whereas they pretended to meet there to ſave their Goods, they took a very ill courſe for that, ſince to leave their Houſes was the way to loſe their Goods; and it was offered them, that Juſtice ſhould be done upon any who offered them violence: And as for the Gentlemen taken at *Shaftsbury*, *Cromwell* told them it was only to anſwer ſome things they were accuſed of, which they had done contrary to Law, and the Peace of the Kingdom. Herewith they ſeeming to be well ſatisfied, promiſed to return to their Houſes, and accordingly did ſo.

Cromwell's Interview with the *Weſtern* Men in Arms, and ſatisfies them.

Theſe being thus quietly ſent home, *Cromwell* advanced further to a meeting of a greater number, *viz.* about 4000, who betook themſelves to *Hambleton* Hill, near *Shrawton*; which had been an Old *Roman* Work, deeply Trenched: The Lieut. Gen. ſent thither a Lieutenant with a Party of Horſe, to require an account of their meeting? He was anſwered with half a dozen of ſhot, and could

Cromwell meets another body of 4000 *Club-men* near *Shrawton*.

Ann. 1645.

could get no other answer; thereupon one Mr. *Lee*, who upon *Cromwell*'s approach came from them, was sent in, requiring them to submit to the Power and Protection of the Parliament, and to lay down their Arms; they refused to leave their Arms, and gave some more shots. *Cromwell* sent Mr. *Lee* again, to tell them that if they would not lay down their Arms, he would fall upon them.

And attacks them, and dispersés them.

But they still refusing, Order was given to the General's Troop to fall on, who did so, and received a repulse, some kill'd, eight or nine Wounded, and six or seven Horses slain; for the *Club-men* shot briskly from the Bank of the Old Work, and kept the narrow passage with Musquets, and other Weapons: But then Major *Desborough* with the General's Regiment, went round about a Ledge of the Hill, and made a hard shift to climb up and enter on their Rear; which they no sooner discerned, but after a short dispute they ran, and the passage formerly assaulted was opened, and all the *Club-men* dispersed, and disarmed, some slain, many Wounded, the rest slid and tumbled down that steep Hill, with great hazard; there were brought away about 400 of them to *Shrawton*, of which near 200 were Wounded in this Skirmish; Capt. *Paltison* was sore hurt, of which afterward he died, and about twelve more. There were taken about twelve Colours, the Motto of one of them was thus: *If you offer to Plunder our Cattle, be assured we will bid you Battel.*

The greater part of these Prisoners after Examination touching their Chief Instigators, Designs and Correspondencies, were upon their Parole never to intermeddle any more in that kind, dismissed and sent home.

Cromwell returns to the Siege of *Sherborn.*

And so *Cromwell* return'd to the Leaguer before *Sherborn*, *Aug.* 5 on which day a Commanded Party crept under the shelter of the Stone-wall, close by the Castle, and gained the Hay-Stack, within a Stone's-cast of their Works.

Wednesday, *Aug.* 6. the Besieged making a New Work to Plant Ordnance to beat them from that Hay-Stack, were themselves beat off, and their Cannon dismounted. But *Fairfax* had in that Service four Captains Wounded, and one Slain. And now all things were in a preparation to Storm; the Soldiers had every one his Faggot; another Summons was sent unto the Castle to Surrender, but a denial was returned; whereupon a Council of War was called, and it was resolved, That since a whole Cannon was upon the way from *Portsmouth*, and that from *Mendeep* Hills might be had Excellent Miners, therefore they would proceed in Approaches and Batteries, being well inform'd that the Ground whereon the Castle stood was Mineable.

This day towards Evening, Capt. *Horsey* another of Col. *Rainsborough*'s Officers was shot dead in the Place with a Birding-Piece, from one of the Towers, who with Capt. Lieut. *Flemming* of Col. *Rainsborough*'s Regiment, (who was shot before) were the next day Buried after a Martial manner in the Church at *Sherborn*, being the Place where Capt. *Horsey*'s Ancestors were Intombed.

Very freely did the Soldiers work in the Mines and Galleries, and making of Batteries, every Man rewarded Twelve-pence a-piece for the Day, and as much for the Night, for the Service was hot and hazardous.

By *Monday*, *Aug.* 11. the whole Cannon, and Money for the Army long expected, came to the Head-Quarter. And *Fairfax* had Intelli-

21 *Caroli.*

Intelligence, that Maj. Gen. *Maſſey*'s Horſe, who were Quartered near *Taunton* to Interrupt General *Goring*'s Forces in caſe they advanced this way, had fallen on ſome of his Horſe and taken ſeveral Priſoners.

Tueſday, *Aug.* 12. the *Mendeep* Miners came and were ſet to work; the Gariſon threw fiery Faggots over thoſe Parts of the Wall where the Miners were, and where a Bridge likewiſe was making (over a little Rivulet) which Bridge was in Part burnt thereby, but the Soldiers quenched it, and a Meſſage was ſent to Sir *Lewis Dives*, That if he pleas'd to ſend out his Lady, or any other Women, he might: Sir *Lewis* acknowledged the favour, ſeemed to incline to accept of it, but gave no poſitive anſwer, expreſſing withal his reſolution (Soldier-like) to hold out to the laſt.

Batteries raiſed.

Wedneſday, *Aug.* 13. the Canon and Demi-canon were planted on the New Battery, where another Chief Gunner of *Fairfax*'s was ſlain, beſides one *Jenkins*, another Gunner was ſhot from the Tower. The Miners wrought within two yards of the Wall, where the Rock appearing, 'twas thought it would have given more interruption than it did, but it proving but a ſoft ſtone, was eaſily wrought through.

Thurſday, *Aug.* 14. the Great Guns began to play about Eleven of the Clock, and before Six had made a Breach in the Wall, that ten a breaſt might enter, and had beaten down one of the Towers, which much diſheartned thoſe within. On this occaſion the great adventurouſneſs of many of the Soldiers comes fitly to be remembred, who (whilſt their Cannon play'd hard upon the Caſtle and wanted ſhot) fetcht off the Bullets (that had been ſhot) from under the very Walls, and had Six-pence apiece for every Bullet they ſo brought off. After the Breach ſo made, *Fairfax* ſent a third Summons to Surrender the Caſtle, or to expect Extremity: Which Meſſage being ſtoutly delivered by the Drummer, he ſaid, He deſerved to be Hanged. And ſent an Anſwer to this purpoſe: That the Language was ſo far differing from what he had formerly received, that he could not believe that it came from the ſame hand, but ſaid, that he would not loſe his Honour to ſave his Life: And if the laſt happen'd, he ſhould think it well beſtow'd in his Majeſty's Service.

But by this time the Approaches were ſo near, that they within could have no uſe of their Muſquets, only threw down Stones: And this day the Beſiegers Soldiers upon the Guard, (Commanded then by Col. *Ingoldesby*) gained the Tower in the corner of the Caſtle, out of which their Muſquetiers play'd into the Caſtle; and ſo near did they venture to the Walls from the Gallery, that they pulled the Wool out of the Wool-Sacks that lay on the Works, which cauſed that ſtrong Guards were ſet by the Gariſon, and in the Night great Fires were made in the Caſtle to diſcover the Enemies Approaches and Mines.

Sherborn Capitulates.

Friday, *Aug.* 15. at Two in the Morning the Governour ſent out a Drummer with a Meſſage, that he was willing to Surrender upon Honourable Terms. Anſwer was returned, No Terms but *Quarter*, ſeeing he had ſlipt and ſlighted the opportunity; and he was not to expect that, except he rendred ſpeedily. Immediately the General went in Perſon to the Works, and viewed the Caſtle within over the Wall, and gave Orders for all things to be prepared for a Storm, every Soldier to cut his freſh Faggot, whereby

Ann. 1645. by in two Hours they had above 6000 Faggots, with which they were to fill the Trenches, and to throw Stones and Rubbiſh upon them. Whilſt this was in doing, the Soldiers that had before gained one Tower, recovered alſo another; and out of the ſame Towers did great Execution, (Sir *Lewis Dives* his Secretary being ſlain by a ſhot from thence) and ſoon after inforc'd them from their Guns within, which they had planted to oppoſe the Entrance at the Breach. The Miners had by this time wrought quite through the Foundation of the Wall, and the Foot play'd ſo hard from the Breach, that Sir *Lewis Dives's* Men were forced to quit the Great Court within the Caſtle; which much diſheartned them, eſpecially ſeeing *Fairfax's* Soldiers coming forwards with Faggots on their Backs to fall on, ſome of them before their time appointed leaping over the Works, all which concurring, they within hung out a White-Flag, had no power to make oppoſition, ſent a Drum for to crave *Quarter*, but before he could get out, and return, a great part of *Fairfax's* Foot were entred, they within had thrown down their Arms, and cryed for *Quarter*, which was given, but ſtript they were very ſeverely, all except Sir *Lewis Dives* and his Lady, and ſome few more, and ſo *Fairfax* became Maſter of the Caſtle, and all within it. The Soldiers finding Plunder of great Value, the taking of which in a diſorderly manner could not then be prevented. There was taken about 400 Priſoners in the Caſtle, beſides Sir *Lewis Dives* the Governour, Col. *Giles Strangeways*, formerly a Member of Parliament, Sir *John Walcot*, Col. *Thornhill*, and others of Quality; Eighteen Pieces of Ordnance, and a Mortar-Piece.

The Soldiers Spoil laſted all that day, and moſt part of the Night, and on *Saturday*, *Aug.* 16. being Market-day, with the Booty they had got, kept a great Market to the Country, who bought the Goods of them. And all this Day and the next was ſpent in ordering the diſpoſal of Priſoners, and in conſidering what to do with the Gariſon, which not above two or three days after was ordered to be ſlighted.

Sherborn being thus fallen into the Parliament's Power, their Army on the Reaſons mentioned in *Cromwell's* Letter herein after recited, reſolv'd next to Inveſt *Briſtol*, where Prince *Rupert* then was with a conſiderable Gariſon. Accordingly Orders were given, and *Fairfax's* Army on *Auguſt* the 18*th* marched to Caſtle-*Carey*: Only a Party was detached forth under Col. *Rainsborough*, conſiſting of his own and Col. *Hammond's* Regiment, and two Pieces of Ordinance to ſit down before *Nunney*-Caſtle, whither the next day *Fairfax* went himſelf to view it, and found it to be a very ſtrong Place. The Head-Quarter was that Night at *Shipton-Mallet*, but five miles from *Carew*, far enough for the Train, which was four miles behind from the Quarters the Night before. But to expedite, what might be this deſign againſt *Briſtol*, 2000 Horſe and Dragoons were ſent under the Command of Commiſſary General *Ireton*, to Block it up. The next Day the Army marched to *Chue* nine miles; Meſſengers were ſent to the Vice-Admiral, Captain *Moulton*, Riding about *Milford-haven*, to ſend Ships into *King's-Road*, to Block up *Briſtol* by Sea. In the mean time Prince *Rupert* did not imagin their Forces ſo near, or that they had any deſign upon

The General views *Nunney*-Caſtle, and is Surrendred.

upon *Briſtol.* And by a Trumpeter that came with a Meſſage from thence, they ſeemed to be ſo far from a belief thereof, that he ſaid he did not expect to find them on that ſide *Sherborn*; and when he met their Horſe, he took them to be the King's. That Night there was a ſtrong Party of Horſe, and one Regiment of Foot diſpos'd at *Hannam*, within three miles of *Briſtol*, on *Glouceſterſhire* ſide, by whom the Prince was Alarmed. 21 *Caroli.*

Thurſday, *Aug.* 21. in the Morning, *Fairfax* receiv'd Intelligence of the Surrender of *Nunney*-Caſtle to Col. *Rainsborough*, upon Condition to have liberty to go to their own Houſes. By reaſon of the Train coming in ſo late, the Army ſted that Day at *Chue*, ſave that another Party of Horſe and ...t advanced towards *Bedminſter*, upon Intelligence that the Prince intended to break through with his Horſe, and Joyn with General *Goring*, with which Party the General and Lieutenant General went and viewed the Town, and appointed Guards and Quarters on the Weſt-ſide of the River, and Quartered himſelf at *Keniſome* that Night, where divers Lords ſent for Paſſes to come out of the City and go beyond Sea, but were deny'd. It being a received opinion, That Perſons of Quality and great Eſtate, in a Beſieged Town, rather incline to a timely yielding, than hazardous defending thereof, when no Relief is at hand. *Fairfax* advances towards *Bedminſter.*

Friday the 22*d*, there was a General Rendezvous of Horſe, and all that Day was ſpent in ſetting of Guards on *Somerſetſhire*-ſide, where the Country-men maintained a Paſſage at *Clyſton*, the Head-Quarter being remov'd that Night to *Hannam*. *Fairfax* marches towards *Briſtol*, and orders matter for the Beſieging it.

Saturday the 23*d*, the General and Lieutenant-General employed the whole Day in the ſetling of Quarters and Guards on the other ſide of *Briſtol*. This Day the City-Cannon played from the great Fort, and *Pryors*-Fort, but hurt none but one Dragoon, who had his Thigh ſhot off. Alſo a Sally was made with a Party of Horſe, who were beaten in again, and Sir *Richard Crane*, that led them, mortally Wounded, and preſently after died.

On the *Lords-day*, *Aug.* 24. the Beſieged about Noon Sallied out again at the Sally-Port near *Pryor*-Hill Fort, in a full Career, and were upon the Enemies Dragooners on the ſudden; yet by coming on of Horſe, were beaten back again, as alſo their Foot were by the Foot of Col. *Rainsborough*'s Brigade, made to Retreat in diſorder.

Monday, *Aug.* 25. Warrants were Iſſued out by *Fairfax* to Sir *John Horner* High Sheriff of the County of *Somerſet*, to raiſe the Power of the County, which was much promoted by the Intereſt and Endeavours of Mr. *Aſh* and Mr. *Moor*, two Members of the Houſe of Commons. This Day the Parliament's Army had Intelligence, that General *Goring*, then about *Collumpton* in *Devon*, did ſeem to draw to a Rendezvous, as if he intended a March to Interrupt the Siege, but Major General *Maſſey*'s Brigade of Horſe were Quarter'd not far from *Taunton*, in ſuch an advantagious Poſture, that they could not move, but he might Flank them, and interrupt their motion, whilſt *Fairfax*'s Horſe might draw off to meet them, in caſe they ſhould attempt the forementioned deſign.

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Sallies from the Town.

Tueſday, *Aug.* 26. Four a Clock in the Morning, a third Sally was made on *Somerſet*-ſide on a Poſt of Col. *Welden*'s Brigade at *Bedminſter*, and through the negligence of the Officer that had then the Command there, they took ten, and killed as many. But the ſame day, Capt. *Molleneux*, (Capt. Lieutenant to Col. *Butler*) and with him another ſtout Soldier, perceiving three Gallant Cavaliers, under their Works (whom afterward they found to be Sir *Bernard Aſtley*, Col. *Daniel*, and a third Man) rode up to them, ask'd them, Who they were for? who anſwering, For the King: And diſcharging upon them, the others replied with their Piſtols; and after ſome Bickering took Sir *Bernard Aſtley*, who died within few days of his Wounds; but Col. *Daniel*, tho' dangerouſly Wounded eſcaped.

Wedneſday, *Aug.* 27. the Gariſon drew out the fourth time, about the cloſe of the Evening, with intention to fall on the Guards; but finding their deſign diſcovered, drew back to their Works.

The Siege of *Briſtol* continues.

Thurſday, *Aug.* 28. Prince *Rupert* ſent out thoſe Foot which were taken Priſoners on *Somerſet*-ſide, being in number ten, with a Trumpet, propounding alſo an Exchange for Sir *Bernard Aſtley*, but the Exchange was not hearkned to. This Day *Fairfax* had Intelligence of the King's Party having Plunder'd *Huntingdon*, his Majeſty having happily eſcaped the *Scotch* and Northern Horſe, out of *Notinghamſhire*. Mean while the Foot at *Portſhead Point* that had been four Days Beſieged by Lieut. Col. *Kempſon*, of Col. *Welden*'s Regiment, with a Party of Foot, was with ſix Pieces of Ordnance Surrendred, whereby the Paſſage into *King's-Road* with Ships was made open.

Friday, *Aug.* 29. a Faſt was kept through the Army, which the Gariſon endeavoured to interrupt by a Sally about Noontime, upon their Quarters near *Lawford's*-Gate, where they took ſome Priſoners. And now it was propounded whether to Storm *Briſtol* or not? The Debate was long, Opinions various; however it was agreed that all things ſhould be prepared in Order to a Storm, and afterwards to take into further conſideration, Whether to Storm or to Entrench the Leaguer. In the midſt of theſe thoughts and reſolutions, tidings were brought the Army of the Defeat given by *Montroſs* to the *Scots*, and that he was marched to *Edenborough* in purſuit thereof; and that the King was now advanced to *Bedford* unfollowed, and was expected ſpeedily to raiſe the Siege at *Briſtol*; and towards Evening the Intelligence was confirmed by Letters from the Committee of both Kingdoms, of the King's ſpeedy march towards *Oxford*, and probably to theſe Parts. At the ſame time *Fairfax* had Advice that General *Goring* in the *Weſt* advanced his Quarters nearer *Chard*, and as it was verily thought, intended a Conjunction with the King.

On the *Lords-day*, *Aug.* 31. Capt. *Moulton*, Admiral for the *Iriſh* Coaſts (who was now come into *Severn*) came from Aboard the Ship to General *Fairfax*, expreſſed much readineſs to aſſiſt in Storming of the City (if it were ſo determined) with his Seamen. A Debate was then had concerning that Affair, and what might be done by Water with the aſſiſtance of the Seamen. General *Goring*'s Letters from *Exeeter* to Secretary *Nichols*, bearing Date *Aug.* 25. were this day intercepted; wherein he ſignified that in three Weeks time he would be ready to Interrupt *Fairfax* in his Siege.

Monday,

21 *Caroli.*

The Beſieged Sally the ſixth time, and are repulſed.

Monday, Sept. 1. the Weather wet and miſty, about Twelve at Noon Prince *Rupert* with a 1000 Horſe and 600 Foot Sallied out the ſixth time, in a full Career, and came upon *Fairfax*'s Horſe-Guards with much fierceneſs and Gallantry; but the Horſe inſtantly came up, and with the aſſiſtance of the Foot of Col. *Rainsborough*'s Brigade forced them to a Retreat: On the Parliament's ſide was loſt in that Skirmiſh Capt. *Guilliams*, a Captain of Horſe; Col. *Okey* a Colonel of Dragoons (it being in the miſt) was taken Priſoner. At that time further Advertiſements confirm'd the King's advance from *Oxford* towards *Briſtol*. Whereupon Orders were given for all the Colonels to view the Line and Works, and for the Soldiers to make Faggots, and all fitting Preparations for a Storm.

By a Council it was reſolved to Storm *Briſtol*

Tueſday, Sept. 2. A Council of War being called, and all the Colonels preſent; after a long Debate, Whether to Storm or no? it was put to the Queſtion, and reſolved in the Affirmative; and for the manner of the Storm, it was referred to a Committee of the Colonels of the Army, to preſent in Writing to the General the next Morning to be Debated at a General Council of War: Accordingly *Wedneſday, Sept.* 3. the manner of the Storm was preſented in Writing to the General, which was propoſed thus: Colonel *Welden* with his Brigade, conſiſting of the four Regiments that were at *Taunton*, (*viz.* his own, Col. *Ingolsby*'s, Col. *Forteſcue*'s, and Col. *Herbert*'s Regiments, whoſe Poſts were to make good *Somerſetſhire*-ſide) to Storm in three Places, *viz.* 200 Men in the middle, 200 on each ſide, as *Forlorn-hopes*; twenty Ladders to each Place, two Men to carry each Ladder, and to have Five Shillings apiece; two Serjeants that attended the Service of the Ladder, to have Twenty Shillings a Man: Each Muſquetier that followed the Ladder, to carry a Faggot, a Serjeant to Command them, and to have the ſame Reward: Twelve Files of Men with Fire-Arms and Pikes to follow the Ladders to each Place where the Storm was to be; thoſe to be Commanded each by a Captain, and a Lieutenant: The Lieutenant to go before with five Files; the Captain to ſecond him with the other ſeven Files; the 200 Men that were appointed to Second the Storm, to be furniſht each Party of them with twenty Pioneers, who were to march in their Reer; the 200 Men, each to be Commanded by a Field-Officer, and the Pioneers each by a Serjeant: (Thoſe Pioneers were to throw down the Line, and make way for the Horſe:) the Party that was to make good the Line, to poſſeſs the Guns, and turn them: A Gentleman of the Ordnance, Gunners, and Matroſſes, to enter with the Parties: The Draw-Bridge to be let down; two Regiments and a half to Storm in after the Foot, if way were made. Much after this manner were the General's Brigade, under Col. *Montague*'s Command, conſiſting of the General's, Col. *Montague*'s, Col. *Pickering*'s, and Sir *Hardreſs Waller*'s Regiments, to Storm on both ſides of *Lawford*'s Gate, both to the River *Avon*, and to the leſſer River *Froom*: The Bridge over *Froom* to be made good againſt Horſe with Pikes, or to break it down. Col. *Rainsborough*'s Brigade, conſiſting of his own, Major Gen. *Skippon*'s, Col. *Hammond*'s, Col. *Birch*'s, and Lieutenant Col. *Pride*'s Regiments, to Storm on this ſide the River *Froom*, beginning on the Right hand of the Sally-Port up to *Pryor*'s-Hill Fort, and to Storm the Fort it ſelf, as the main

Ann. 1645. buſineſs; 200 of this Brigade to go up in Boats with the Seamen to Storm *Waterfort* (if it were to be attempted) one Regiment of Horſe, and a Regiment of Foot, to be moving up and down in the Cloſes before the Royal Fort, and to ply hard upon it, to alarm it, with a Field-Officer to Command them. The Regiment of Dragoons, with two Regiments of Horſe, to carry Ladders with them, and to attempt the Line and Works by *Clypton* and *Waſhington*'s Breach.

The manner of Storming reſolved on.

The manner of the Storm being thus agreed on, the Soldiers were drawn out to try their inclinations; and the General to make good his Promiſe to reward them for the Service of *Bridgewater*, ordered them immediately to receive Six Shillings a Man, which by the Commiſſioners of Parliament was forthwith paid unto them, and which put a great Obligation upon the Soldiers.

At this Council of War it was alſo agreed, that a Letter ſhould be written, and ſubſcribed by the General, and all the Officers, to General *Leven*, to expreſs how ſenſible they were of the Loſſes their Forces had received in *Scotland* by *Montroſs*; (the Particulars of which ſhall be given in the particular Chapter of the Affairs of that Kingdom) and their willingneſs to ſerve them, if need were, for the ſetling of their Nation in Peace, ſo ſoon as the condition of this Kingdom could ſpare them. The Copy of which Letter followeth in theſe words:

May it pleaſe your Excellency and the reſt Honoured Friends, and Beloved Brethren,

A Letter from *Fairfax*'s Army to the *Scot*'s Army.

WE have, not without much grief, received the ſad report of your Affairs in *Scotland*; how far God, for his beſt and ſecret Ends, hath been pleaſed to ſuffer the Enemy to prevail there: And are (we ſpeak unfeignedly) not leſs ſenſible of your evils, than you have been and are of ours, nor than we are of our own. And the greater cauſe we have of ſimpathy with you, the more do our Bowels earn towards you, becauſe whatever you now ſuffer your ſelves in your own Kingdom, are chiefly occaſioned by your aſſiſting us in ours, againſt the Power that was riſen up againſt the Lord himſelf, and his Anointed ones. Wherefore we cannot forget your Labour of Love, but thought good at this ſeaſon even amongſt our many occaſions, to let you know, that when the Affairs of this Kingdom will poſſibly diſpence with us, the Parliament allowing, and you accepting of our Aſſiſtance, we ſhall be moſt willing, if need ſo require to help and ſerve you faithfully in your own Kingdom, and to engage our ſelves to ſuppreſs the Enemy there, and to eſtabliſh you again in Peace. In the mean time we ſhall endeavour to help you by our Prayers, and to wreſtle with God, for one Bleſſing of God upon both Nations; between whom, beſides many other ſtrong Relations and Engagements we hope the Unity of Spirit ſhall be the ſureſt bond of Peace. And this whatever Suggeſtions or Jealouſies may have been to the contrary, we deſire you would believe, as you ſhall ever really find to proceed from integrity of heart, a ſenſe of your Sufferings, and a full purpoſe to anſwer any Call of God to your Aſſiſtance: As become,

Your Chriſtian Friends and Servants in the Lord,

Thomas Fairfax, Oliver Cromwell, Thomas Hammond, Henry Ireton, Edward Montague, Richard Forteſcue, Richard Ingolsby, John Pickering, Hardreſs Waller, William Herbert, Robert Hammond, James Gray, Thomas Pride, Robert Pye, Thomas Rainsborough, Thomas Sheffield, Charles Fleetwood, Ralph Welden, John Raymond, Leon. Watſon, Arthur Evelin, Richard Dean, Thomas Jackſon, John Desborough, Chriſtopher Bethel.

The

The Report concerning the Storm being made unto the Council of War, and fully agreed unto, the Cannon-Baskets were Ordered to be filled, Seamen and Boats ſent for.

Thurſday, Sept. 4. the Weather that had been ſo extream wet before, that many Soldiers died thereby (and with extream hard duty) began to alter. The Aſſailants play'd their Great Guns from off the New Battery againſt *Pryors*-Fort. Summons was alſo prepared to be ſent to P. *Rupert*; and being agreed unto, were ſent in accordingly: But the ſame and moſt other Remarkable paſſages of this Siege, being at large expreſs'd in Prince *Rupert*'s Narrative thereof, together with an Apologetical Declaration he ſoon after the Surrender of the City (apprehending himſelf ſcandaliz'd by ſome of the King's Party concerning that Affair) cauſed to be publiſh'd, I conceive it will be more to the ſatisfaction of Poſterity to deliver it in the words of that Valiant Prince, faithfully Reprinted, as followeth.

A Declaration of His Highneſs Prince Rupert.

NOT that His Highneſs thinks to juſtifie himſelf to thoſe, who by that muſt condemn themſelves: Nor that he believes any thing he hath done needs a Declaration, does he publiſh this to the World: But he thought it might not be unneceſſary to the Service of his Majeſty (in order to which all his Actions have been directed) to let the World ſee that he hath faithfully ſerved Him, and that his Enemies had no other reaſon for his accuſation, than that they found it neceſſary for their defence. His Highneſs is not ignorant how great a difficulty he hath undertaken in ſatisfying the People, who are as ſevere in the Actions of others as they are partial in their own, and who cenſure all by ſucceſs; which judgment, how unjuſt it is, the meaneſt underſtanding, even thoſe brought againſt him, muſt confeſs. Yet with theſe diſadvantages muſt he now appear, and he is confident that through them all he ſhall let the miſinformed Kingdom ſee that his honour is as much above the malice of his Enemies as their competition. His Highneſs will not go back to the beginning of theſe times, nor particularly mention his Actions in this War, altho' he believes he may without vanity ſay, that neither Integrity nor Induſtry hath been wanting in any of them: nor that there hath ſcarce been any Service where he hath not appeared in his Perſon and his Care; which how ſucceſsful it hath been in ſeveral occaſions the Kingdom will be his witneſs, and where the event hath been contrary, His Majeſty and the Armies will acquit him of his part in it. And he eſteems it his happineſs to have ſerved the King in difficult times, where he hath appeared with him in good and ill-fortune, aſſiſted by the Gallantry of thoſe Gentlemen who neither in danger nor diſfavour have forſaken him, of whoſe affections he ſhall ever make a juſt and proportioned acknowledgment. But ſince (as it is the fate of thoſe in the condition of his Highneſs) he hath had his actions imperfectly, if not maliciouſly related, examined at a diſtance, and accordingly cenſured: Since he is become the ſubject of every ones paſſion, how unjuſt ſoever, and of every opinion, altho' never ſo weak; His Highneſs thought it was a right he owed the King's Service and himſelf (whom he will ever conſider laſt) to publiſh in the following Narrative, the integrity and reaſons of his proceedings, that it might appear, that as his Highneſs hath faithfully ſerved the King, he hath not ſerved him unadviſedly, but like a Soldier, as well as a Man of Honour. And all the World, even his enemies ſhall ſee, that his Actions (to ſay no more) have been as far from injuring his Majeſty's cauſe, as theirs from defending it.

A Nar-

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A Narrative of the ſtate and condition of the City and Gariſon of Briſtol, *when his Highneſs Prince* Rupert *came thither; of the actions there during the Siege, of the Treaties and Rendition thereof.*

HIS Majeſty, after the Battel of *Naſeby*, Retreating towards *Hereford*, intending to recruit his Army by new Levies in thoſe Parts; His Highneſs, Prince *Rupert* croſs'd the *Severn*-Sea to viſit his Highneſs the Prince of *Wales*; and by his Perſonal preſence, to inform himſelf more fully of the condition of his Majeſty's Forces in the Weſtern parts. In his return, he paſſed through the Lord *Goring* his Army, thereby to ſettle and order things ſo there, as might moſt advantage his Majeſty's future Service: and immediately after, his Highneſs intending to provide for a Train of Artillery, and other Neceſſaries for his Majeſty's Army, repaired to *Briſtol*, where the then preſent conſtitution of the Gariſon had by the eſtabliſhment Contribution ſetled for 3600 men, for that and the ſubordinate Gariſons, as *Nunney*, *Portſend Point*, &c. But at his coming thither, the Preſidiary Soldiers (which went by reputation, for 800, or 900 Men, and for ſome reaſons unknown to his Highneſs, it was not thought fit or convenient by them who took upon them the power to have them called to a Muſter) were really in the judgment of honeſt and judicious Perſons, whoſe ſafeties were concerned in it, betwixt 500, or 600 effective. The Auxiliary and Trained Bands, by interruption of Trade and Commerce, by the Peſtilence then raging there, by their poverty and preſſures laid upon them, were reduced to 800; and the Mariners, for want of imployment, betook themſelves to other parts, or to the Enemy.

The Commiſſioners intruſted for the Contribution and ſupport of the Gariſon, upon the Enemies approach, abandoned the Town, and many conſiderable Perſons had liberty given them, and quitted the Town, which much weakned and diſheartned the reſt.

For the ſecuring of that place, his Highneſs drew in ſo many, that made the Gariſon 2300 Men upon ſight: But after the Enemy approach'd his Highneſs could never draw upon the Line above 1500, and it was impoſſible for his Highneſs to keep them from getting over the Works, and many of thoſe were new Levied *Welſh*, and unexperienced Men.

The Line which was to be defended, was above four miles in compaſs, the Breaſt-work low and thin, the Graff very narrow, and of no depth; and by the opinion of all the Colonels (whoſe Judgments and Votes were required upon all important occaſions) not tenable upon a briſk or vigorous aſſault.

The great Fort, which had the reputation of ſtrength, lay open to *Brandon*-Hill Fort, which being taken, would from its height with the Cannon, command the whole Plain within it, and that wanting Water was not to be kept many days. For the like conſideration of danger to the Line from another part, his Highneſs built a Redoubt without, which on that ſide prevented the Enemy from erecting a Battery, as likewiſe three other during the Siege, and drew a Line of 500 Foot.

After the misfortune which hapned to the Lord *Goring* his Army, the loſs of *Bridgewater* and *Sherborn*, and upon his Majeſty's ſudden receſs out of *Wales*, his Highneſs not having received any Command or intimation to follow him, he thought it might be more conducible to his Majeſty's Affairs for him to remain there; and conceiving that the Enemies deſign after their former ſucceſſes, might be for *Briſtol*, gave expreſs Orders, for all Inhabitants to Victual themſelves for ſix Months: and upon a ſtrict ſurvey, there were 2500 Families then remaining in the City, whereof 1500, through indigence and want, could not provide for themſeves. To ſupply this defect, his Highneſs cauſed 2000 Buſhels of Corn to be imported out of *Wales*. For further ſupply, his Highneſs, upon the certain approach of the Enemies whole Army, Commanded out Parties to drive in all the Cattel thereabouts; of which there were an indifferent number.

The

Caroli 21.

The Ammunition was ſcant (conſidering that in the Forts, Caſtle, Line and Streets, there being above one hundred Cannon mounted) the quantity of Powder exceeding not 130 Barrels: and at his Highneſs firſt coming thither, there was not in the Publick Magazine Musket-balls for three Hours-fight, wherefore he cauſed immediately great quantities of Lead to be caſt into Bullet; and the Manufacture of Match was quite down, and ſet up by his Highneſs during the Siege.

His Highneſs having made all poſſible preparations, conſulted with all us, the Colonels of Poſts, for our opinion concerning the tenableneſs of the Line: our judgment general was, that notwithſtanding, the Works and Line were very defective, the Circuit large, our numbers few; yet if we could repell one General Storm, the Enemy would be diſcouraged from attempting the ſecond time, and the ſeaſon of the Year might advantage us, and incommode them.

Upon this uncertainty his Highneſs made offer, that for his own Perſon he would attempt to break through with his Horſe, with ſuch Officers as could be ſpared, leaving ſuch as were requiſite for the Fort and Caſtle.

This by all us the Colonels of Poſts, and Officers was thought neither ſafe nor honourable. In the ſecond place he offered to put himſelf upon the defence of the Caſtle and Fort; all the Officers were clear of opinion againſt this, in regard of the Nobility and Gentry, and ſuch of the Town as had appeared well affected, and the Horſe and Foot which the Fort and Caſtle could not receive, had thereby been left to the Sword of the Enemy, and in regard the Fort and Caſtle in our opinions were not tenable againſt their Army.

In the third place, ſeeing that neither of the former ways could be taken, we were all reſolved to fall upon the beſt general defence that could be made of the whole, wherein we might all ſhare alike. Theſe were the reſolutions of all we Colonels and Officers of the Poſts, Caſtle and Fort, his Highneſs leaving the free debate unto us, himſelf not being by, upon our own deſires.

Theſe were the reſults at a Council of War, only I do not well remember that the weakneſs of the Caſtle and Fort was at that inſtant, while I was preſent, taken into conſideration.

SIGNED,

F. Hawley, John Ruſſell, Somerſet Fox, Will. Murry, Hen. Osburn, Henry Tillier, Mat. Appleyard.

The State and condition of the Line of Fortifications about the City of Briſtol, *as likewiſe of the great Fort (as appears by the Subſcriptions of the Enginiers, who had taken an exact ſurvey of them) were as follows.*

THE Line generally was three Foot thick.

The heighth of it five Foot where it was higheſt.

The Graff commonly ſix Foot broad, and where it was wideſt but ſeven.

The depth in moſt parts four Foot, and five where deepeſt.

Between *Pryor*-Hill Fort, *Stoke's Croft*-Gate, and beyond the little River towards *Lafford's*-Gate, in which Places the Enemy entred, not five Foot high.

The Graff five Foot broad, and all that part of the Line much decayed.

The Ditch of the Great Fort on the Right-hand of the Gate before the Face of the Bulwark, was not four Foot deep, and eighteen Foot broad, ſo that Horſes did go up and down into it.

The higheſt Work of the Fort was not twelve Foot high, and the Curtains but ten.

Within

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Within one hundred Foot of the Fort, there was a deep hollow way, where the Enemy might lodge what numbers he pleased, and might be in the Graff the first Night, and in that part the Fort was Minable.

Brandon-Hill Fort, was about twelve Foot above the level of the Great Fort, and that being not able to make any long resistance, the Enemy gaining it, would command the other.

The Hedges and Ditches without the Line were neither cut, nor levelled, so that they lodged their Men securely near our Works, at their first approach.

We do here under our Hands attest the Particulars above written to be true.

B. De Gomme, *Engineer-General.*
John Mansfield, *Engineer.*

The Resolution being then taken for a general defence, his Highness disposed all the Colonels to their several Posts and Forts upon the Line. His Highness being thus sollicitous for the securing of the Place, the Enemy upon the 22*d* of *August* appeared before the Town, upon *Pine*-Hill to the South-side. To Encounter them his Highness sent a party of Horse Commanded by Sir *Richard Crane* (who in that action received his Death's Wound) a little before that *Bedminster* was fired, upon Intelligence the Enemy intended that Night to Quarter 2000 Men in it, and notwithstanding the Fire, the Enemy drew thither, and ply'd their Small-shot all Night.

Aug. 23. his Highness caused a Traverse or Blind of Earth to be made within the Draw-Bridge without *Temple*-Gate, and the same day a Battery was raised in the Marsh for securing the River, and scouring the Fields beyond it. The Enemy began some Breast-Works, and a Battery on the Hill without *Temple*-Gate, with a Traverse cross the way to hinder our Sallies.

In this time the Enemy omitted no opportunity to sollicit the minds of the Inhabitants, Trained-Bands, and Auxiliaries, and to that purpose sent secretly in these Lines following, Signed and Sealed by Sir *Tho. Fairfax*, and *Oliver Cromwell*, as likewise further Instructions to the Citizens of *Bristol*, for the delivery of *Bristol* to the Parliament.

WE do hereby promise and engage our selves, that all such Citizens of *Bristol*, now Inhabiting within the said City, which shall from henceforth forbear to resist the Army under our Command, in the attempting to enter the said City, and the Lines of Defence, and Forts made about it, and shall appear to do their best endeavour for the delivering in of the same into our Hands, for the use of the Parliament, shall (in case the said City be delivered into our Hands) be secured and protected by the Authority of the Parliament, in the enjoyment of their Lives, Liberties and Estates, as freely as in former times, and as any other Persons under the obedience of the Parliament, notwithstanding any past Acts of Hostility, or any other thing by them done in the former delivering up of the said City to the Enemy, or maintaining of it against the Parliament, or otherwise in assistance of the Enemy. For assurance, and in testimony whereof We have hereunto set our Hands and Seals, this 25*th* of *August*, 1645.

Subscribed and Sealed by

Thomas Fairfax.
Oliver Cromwell.

Further

21 *Caroli.*

Further Inſtructions to the Citizens of Briſtol *that ſhall endeavour the delivering up of the City to the Parliament's Forces.*

1. THAT if any doubtful Expreſſions or defects be conceived to be in the Notes ſent in under our Hands, the ſaid Citizens ſhall have any other Draught to the ſame purpoſe, Signed and Sealed by us in as full and ample Terms, as themſelves ſhall deviſe and ſend forth to us.

2. That what Liberty, Freedom or Immunity the ſaid Citizens ſhall find needful to promiſe to any common Soldiers, or Officers of the Enemy within the Gariſon (not exceeding the degree of Colonels) for the more ſure and ſpeedy delivering up of the ſaid City unto us, ſhall be fully made good by us.

3. That they fall to ſome ſpeedy Reſolution, and attempt for the purpoſes aforeſaid, becauſe elſe we ſhall fall to ſome attempt by our own Forces, and (if thereby through God's bleſſing it be taken) we ſhall hardly be able to with-hold the Soldiers from doing that violence and damage to the City, which we earneſtly deſire and ſtudy to prevent.

4. For the particular way of their attempt we muſt expect advertiſement from them, and cannot particularly direct them, but in general we offer that it may be either by ſeizing the Prince, or poſſeſſing or delivering up ſome Fort or Work which we may enter, or ſetting open ſome Port, or by a general riſing to aſſault and oppoſe the Prince's Forces, or otherwiſe as they ſhall find any ſpeedy opportunity, and upon the perceiving of any ſuch riſing, or attempt of theirs within, we ſhall apply our Forces accordingly to enter for their aſſiſtance, and if by any ſuch means of theirs we enter, we ſhall undertake to ſecure the City from loſs or violence by our Soldiers.

5. If they think themſelves by their own force able to maſter the Enemy, or by any deſign to make themſelves Maſters of the Commanding Forts without our aſſiſtance, we ſhall not bring our Army into the City, unleſs they deſire it.

Upon the Interception of which Papers his Highneſs cauſed ſeveral ſuſpected and active Perſons to be reſtrained, which prevented the deſign, and withal by his Perſonal preſence ſecured the Great Fort from ſurprizal.

In the mean time his Highneſs to interrupt the Enemies working made ſeveral Sallies, all which ſucceeded according to deſign.

Aug. 26. Soon after a Storm being expected by the Enemies drawing great Bodies of Horſe and Foot, his Highneſs double Manned the Line, but nothing followed.

Aug. 28. Five Parliament Ships entred *King's-Road*, and forc'd Capt. *Boone*, who commanded the Tenth Whelp, to run up the *Severn* for ſecurity.

Aug. 29. The Enemy was making a Bridge over *Avon* to conjoyn their Quarters.

Sept. 3. His Highneſs began a Work, or cutting off within the Line by *Lafford's*-Gate.

Sir Thomas Fairfax *his Summons.*

Fairfax's firſt Summons to *Briſtol.*

SIR, For the Service of the Parliament, I have brought this Army before the City of *Briſtol*, and do Summon you in their Names to render it, with all the Forts belonging to the ſame into my hands to their uſe. Having uſed this plain Language, as the buſineſs requires, I wiſh it may be as effectual with you, as it is ſatisfactory to my ſelf, that I do a

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little expoſtulate with you about the Surrender of the ſame, which I confeſs is a way not common, and which I ſhould not have uſed, but in reſpect to ſuch a perſon, and to ſuch a place. I take into conſideration Your Royal Birth, and relation to the Crown of *England*, Your Honour, Courage, and the Vertue of your Perſon, and the ſtrength of that Place, which you may think Your Self bound, and able to maintain.

SIR, The Crown of *England* is and will be where it ought to be, we fight to maintain it there, but the King miſled by Evil Councellors, or through a ſeduced heart hath left His Parliament, and His People; (under God the beſt aſſurance of his Crown and Family), the maintenance of this Schiſm is the Ground of this unhappy War on your part, and what ſad effects it hath produced in the three Kingdoms, is viſible to all Men. To maintain the Rights of the Crown of *England* jointly (a principal part whereof is that the King in Supreme Acts concerning the whole State is not to be adviſed by Men, of whom the Law takes no notice, but by His Parliament the Great Council of the Kingdom; in whom, (as much as Man is capable of) he hears all his People as it were at once, adviſing Him, and in which multitude of Councellors lies His Safety, and His Peoples Intereſt; and to ſet Him right in this, has been the conſtant and faithful endeavour of the Parliament, and to bring thoſe wicked Inſtruments to Juſtice (that have miſled Him) is a principal Ground of our Fighting.

SIR, If God makes this clear to you as he has to us, I doubt not but he will give you a heart to deliver this Place, notwithſtanding all the other conſiderations of Honour, Courage, Fidelity, *&c.* Becauſe their conſiſtency and uſe in the preſent Buſineſs depends upon the right and wrongfulneſs of this that has been ſaid: and if upon ſuch conviction you ſhould ſurrender it, and ſave the loſs of Blood, or hazard of ſpoiling ſuch a City, it would be an occaſion glorious in its ſelf, and joyful to us for the reſtoring of you to the indear'd affection of the Parliament, and People of *England*, the trueſt Friends to your Family, it hath in the World.

But if this be hid from your Eyes, and that through your wilfulneſs, this ſo great, ſo famous, and antient a City, and ſo full of People be (by your putting us to force the ſame) expoſed to ruin, and the extremity of War, (which yet we ſhall in that caſe as much as poſſible endeavour to prevent) then I appeal to the righteous God to be Judge between you and us, and to require the wrong.

And let all *England* judge whether the burning of its Towns, ruining its Cities, and deſtroying its People, be a good requital from a Perſon of your Family, which hath had the Prayers, Tears, Purſes, and Blood of its Parliament and People, and (if you look on either as now divided) which hath ever had that ſame Party both in Parliaments, and amongſt the People moſt zealous for their aſſiſtance, and reſtitution, which you now oppoſe, and ſeek to deſtroy, and whoſe conſtant grief hath been, that their deſires to ſerve your Family have been ever hindred or made fruitleſs by that ſame party about his Majeſty, whoſe Counſels you act, and whoſe Intereſt you purſue in this unnatural War.

I expect your ſpeedy anſwer to the Summons with the return of the Bearer this Evening, and remain,

Sept. 4. 1645. *Your Highneſs Humble Servant*,

THO. FAIRFAX.

His Highneſs reply was only to know whether he would give leave for a Meſſenger to go to his Majeſty to know his pleaſure, which occaſioned Sir *Thomas Fairfax* to return this Anſwer.

SIR,

21 Caroli.

SIR,

THE Overture of ſending to the King to know his pleaſure I cannot give way to, becauſe of delay; I confeſs your anſwer doth intimate your intention not to Surrender without His Majeſty's conſent; yet (becauſe it is but implicit) I ſhall ſend again to know a more poſitive anſwer from your ſelf, which I deſire may be ſuch, as may render me capable to approve my ſelf,

Sept. 5. 1645. *Your Highneſs Humble Servant,*

THO. FAIRFAX.

Whereupon his Highneſs ſent him theſe following Propoſitions; for during a Treaty we might ſtrengthen our Works within, hear from the King, and had he aſſented unto our demands, we ſhould have required a confirmation of them by the Parliament, which protraction of time would have been our advantage.

At the Council of War, Preſent,

Prince *Rupert*, Lord *Hawley*, Lord *Lumley*, Col. *John Ruſſell*, Sir *Matthew Appleyard*, Col. *Tillier*, Col. *Fox*, Col. *Robert Slingsby*, Col. *Walter Slingsby*, Col. *Murrey*, Lieut. Col. *Osborn*.

SIR,

WHereas I received your Letter for the Delivery of the City, Forts, and Caſtle of *Briſtol*, and being willing to joyn with you for the ſparing of Blood, and preſerving of His Majeſty's Subjects, I have upon thoſe Grounds and none other, ſent you theſe following Propoſitions.

1. That my ſelf, all Noblemen, Commanders, Officers, Gentlemen, and Soldiers, of Horſe and Foot, that have ſerved either His Majeſty or Parliament in *England*, or elſwhere, as likewiſe all Perſons whatſoever, Men or Women, now Reſident here in this City of *Briſtol*, Caſtle, and Forts thereof, ſhall have free liberty to march away out of the ſaid City, Caſtle, and Forts, with their Arms, Flying Colours, Drums Beating, Trumpets Sounding, Piſtols Cockt, Swords Drawn, Matches lighted on both ends, Bullets in their Mouths, and as much Powder as they can carry about them, with all their Bag and Baggage, Horſes, Arms and other Furniture, Ten Pieces of Cannon, Fifty Barrels of Powder, and Match and Bullet proportionable.

2. That neither my own Perſon, nor the Perſon of any Nobleman, Commander, Officer, Gentleman, or Soldier, or any other of mine or their Retinues, be ſearched, moleſted, or troubled, upon what pretence ſoever, but left to their liberties, to depart or ſtay as it ſhall be moſt convenient for them.

3. That none of your Army whatſoever ſhall entice or perſwade any Officer or Soldier of mine from their Regiments or Colours, with any promiſe of Preferment or Rewards.

4. That all ſuch Officers and Soldiers that are hurt, and ſick, and cannot now march out of this City, Caſtle, and Forts, ſhall have liberty to ſtay until they be recovered, and then have ſafe Conduct to go whereſoever they pleaſe, either to any of His Majeſty's Armies, or Gariſons, or their own Houſes, where they may live quiet, in the interim they being ſick and hurt, may be protected by you, and have civil uſage.

5. That all Priſoners taken on both ſides ſince the beginning of this Siege be forthwith ſet at liberty.

6. That my ſelf, and thoſe abovementioned be not required to march further in a day, than what conveniently we may, and that a day or two

Ann. 1645. of reſt may be allowed upon our march if we ſhall find it requiſite; and that we be accommodated with free Quarters during our March, and a ſufficient Convoy to any of the King's Armies or Gariſons which I ſhall name, to ſecure us in our Quarter, and upon our March, from injuries and incivilities that ſhall any way be offered unto us; and likewiſe that there be one hundred and fifty Carriage-Horſes, and forty Wains with ſufficient Teams provided for Carriages of all ſorts.

7. That no Perſon here in theſe Articles mentioned ſhall be in their March, Rendezvous, or Quarters ſtopt, ſearched, or Plundered, upon any pretence whatſoever. That two Officers be appointed by you, the one for accommodation of free Quarters for Officers, Soldiers, and others, and the other for providing of Horſes and Carriages for our Baggage and Train.

8. That all Noblemen, Gentlemen, Clergy-men, Citizens, Reſidents, and any other Perſon within the City, Suburbs, or Liberties of the City of *Briſtol*, ſhall at any time when they pleaſe have free liberty to remove themſelves, their Goods, and Families, and to diſpoſe thereof at their pleaſures, according to the known and Enacted Laws of the Land, either to live at their own Houſes, or elſewhere, and to enjoy their Houſes, Lands, Goods, and Eſtates, without any moleſtation, and to have Protections for that purpoſe; and this Article to extend to all whoſe Eſtates are Sequeſtred, or not Sequeſtred, and that they may reſt quietly at their Abodes, and travel freely, and ſafely upon their occaſions, and for their better removal they may have Letters of ſafe conduct with Horſes and Carriages at reaſonable Rates upon demand.

9. That all Perſons abovementioned may have liberty to go beyond the Seas at any time within three Months, as their occaſions ſhall require.

10. That the Lines, Forts, Caſtle, and all other Fortifications about or in the City, be forthwith ſlighted, and the City ſtated in the ſame condition it was before the beginning of this unnatural War, and that the Parliament during this War place no Gariſon in it.

11. That no Churches be defaced, that the ſeveral Members of the Foundation of this Cathedral ſhall quietly enjoy their Houſes, and Revenues belonging to their Places, and that the Miniſters likewiſe of this City may enjoy their Benefices without any trouble.

12. That no Oaths be impoſed upon any Perſon now in this City, Suburbs, and Liberties, other than ſuch as are required by the ancient and Enacted Laws of this Land.

13. That the Mayor, Sheriffs, Aldermen and Citizens, within this Corporation of the City of *Briſtol*, ſhall be free in their Perſons and Eſtates, and enjoy all their Priviledges, Liberties, and Immunities, in as full and ample manner as formerly at any time they did before the beginning of this War; And that they have freedom of Trade both by Land and Sea, paying ſuch Cuſtoms and Duties as formerly they have done to His Majeſty, and that no Mulct nor Fine be impoſed upon any Perſon mentioned in this Article, or queſtioned for any Act or thing done before the day of our marching forth, upon any pretence whatſoever, and that no Free Quarters be put upon them without their own conſents.

14. That all other Perſons whoſe Dwellings are in this City, and now abſent, may have the full benefit of theſe Articles as if they were preſent.

15. That all Noblemen, Gentlemen and others, who have Goods in this City, and now preſent or abſent, may have liberty at any time within three Months to diſpoſe of their Goods as they pleaſe.

16. That there be no Plundering, or taking away of any Man's Perſon, or any part of his Eſtate under what pretence ſoever, and that Juſtice, according to the known and Enacted Laws of the Land, be adminiſtred to all Perſons within this City, by the Civil Magiſtrates.

17. And for the Performance of all theſe Articles, I expect ſuch Hoſtages to be given as I ſhall accept of, and hereunto I deſire your ſpeedy Anſwer.

SIR,

Caroli 21.

SIR,

By this you may evidently perceive my inclination to Peace, and you may be aſſured that I ſhall deſire nothing but what ſhall be with relation to his Majeſty's Honour, and the Safety of the Kingdom, and what may become,

Sept. 7. 1645. *SIR, Your Servant,*
RUPERT.

Upon Peruſal of which Sir Tho. Fairfax *returns this Anſwer.*

SIR,

I Have peruſed your Propoſitions, wherein ſome things are doubtfully expreſſed, other things inconſiſtent to the duty I owe to them I ſerve, notwithſtanding to the end I may give aſſurance, that I earneſtly deſire to ſave effuſion of Blood, and the ruin of a City and People, that may be ſo ſerviceable to the Crown and Kingdom: If your Highneſs pleaſe, that Commiſſioners may Treat between us concerning the accommodating of Things, I hope to make it evident to the World, that what ſhall reſpect the Honour of a Soldier, due Civilities to all Men, the good and welfare of the People of that City, both in paſſing by what is paſt, and reſtoring them to the Priviledge of all other Subjects, and to the Immunities of their City, will readily be condeſcended unto by Me, as becomes a Gentleman and a Chriſtian. And to the end no time may be loſt, I have here incloſed ſent you the Names of Three Commiſſioners, who upon the return of Hoſtages of equal condition unto me, ſhall attend your Highneſs ſufficiently inſtructed to conclude on my Part: Provided the ſaid Treaty be ended by Nine of the Clock this Night, and to this I deſire your Anſwer within the ſpace of an Hour, and remain

Sept. 7. 1645. *Your Highneſs Humble Servant,*
THO. FAIRFAX.

The Names of Commiſſioners, for whom, if a Treaty be admitted, I deſire a ſafe Convoy by this Bearer.

Colonel *Ireton*, Commiſſary-General of Horſe.
Colonel *Fleetwood.*
Colonel *Pickering.*

His Highneſs reply'd in theſe Words.

SIR,

I Thought I had ſufficiently explained my ſelf in my Propoſitions, and that there was nothing doubtful, or could be inconſiſtent with the duty you owe to them you ſerve, but ſince it ſeems otherwiſe to you, I deſire you would ſet down your Doubts and Exceptions in Writing, to which you ſhall have a ſpeedy Anſwer from

Sept. 7. 1645. *Your Servant,*
RUPERT.

Which occaſioned this following Letter, and Propoſitions from Sir Thomas Fairfax.

SIR,

I Perceive by your laſt, that you decline any Treaty by Commiſſioners, and for me to ſend you in Writing my Doubts and Exceptions to your Propoſitions, and expect your Anſwers, were a way like to give occaſion

Ann. 1645. occaſion to many new Meſſages and delays, to avoid which, and to bring theſe Overtures to a ſpeedy reſolution, I have here ſent you what I am willing to grant, beyond which, I may not go, and what I demand, from which by God's bleſſing I ſhall not recede: I have obſerved the order of your own Propoſitions, and upon every one have granted what is Honourable for your Highneſs, or the Safety and Welfare of the City to have, and fit for me in Honour and Faithfulneſs to them I ſerve, to give, and this I have ſet down, as near as I could in your own words, ſo far as I found them clear, though with ſome repetitions of the ſame things. By all this I hope I have ſufficiently evidenced my tenderneſs of Blood, and of this City, and have cleared my ſelf before God, and the World, from what evil ſhall enſue upon your refuſal; If you accept the Terms, having here ſent two Copies Sealed and Signed by me, I ſhall expect that you return one of them Signed and Sealed by your ſelf, alſo to be brought back to me this day by Six of the Clock in the Evening at furtheſt, otherwiſe I ſhall conclude your refuſal, and account my ſelf abſolved, ſave from the deſire of being, Sir,

Stapleton, Sept. 8. 1645.

Your Highneſs Humble Servant,
THO. FAIRFAX.

Articles of Agreement for the Surrender of the City of Briſtol, *with the Caſtle and Forts thereof, between his Highneſs Prince* Rupert, *and his Excellency Sir* Tho. Fairfax, *made* Sept. 8. 1645.

1. THAT his Highneſs Prince *Rupert*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Perſons whatſoever now reſident in the City of *Briſtol*, and the Caſtle and Forts thereof, ſhall have free liberty to march away out of the ſaid City, Caſtle and Forts, with their Arms, Flying Colours, Drums Beating, Trumpets Sounding, Piſtols Cockt, Swords Drawn, Matches Lighted, Bullet in their Mouths; every Foot-Soldier his Bandeliers full of Powder, with Match proportionable; and every Horſeman his Flask full of Powder, with all the Bag and Baggage, Horſes and Furniture, four Pieces of Ordnance, twenty Barrels of Powder, Match and Bullet proportionable.

2. That none of the Perſons aforementioned, or of their Retinues ſhall be ſearched, moleſted, or troubled upon what pretence ſoever.

3. That none of the Parliament Army whatſoever ſhall entice, or perſwade any Officer or Soldier belonging to Prince *Rupert*, from their Regiments or Colours with any promiſe of Preferment or Reward.

4. That all ſuch Officers and Soldiers that are hurt or ſick, and cannot now march out of the City, Caſtle, and Forts, ſhall have liberty to ſtay until they be recovered, and then have ſafe Conduct to go whereſoever they pleaſe, either to any of his Majeſty's Armies, or Gariſons, or their own Houſes, where they may live quiet, and that in the interim they ſhall be protected by Sir *Tho. Fairfax*, and have civil uſage.

5. That all Priſoners taken on both Sides ſince the beginning of this Siege, be forthwith ſet at liberty.

6. That the Perſons abovementioned, that are to march away ſhall have a ſufficient Convoy to any of the King's Armies or Gariſons, which the Prince ſhall name, not exceeding fifty miles from *Briſtol*, to ſecure them in their March from all injuries and incivilities that ſhall or may be offered to them, for which March they ſhall have eight days allowed from their marching out of *Briſtol*, and Free Quarter by the way during the ſame ſpace, and ſhall have Carriage-Horſes, and Wains with Teams provided ſufficient for Carriages of all ſorts from Quarter to Quarter, they giving caution forthwith to return the ſame immediately.

7. That none of the Perſons above mentioned ſhall be in their ſaid March, Rendezvous or Quarters, Searched or Plundered upon any pretence

tence whatſoever; and that two Officers ſhall be appointed by Sir *Thomas Fairfax*, the one for accommodation of Quarters for them by the way, the other for providing of Horſes and Carriages for the Baggage and Train. 21 *Caroli.*

8. That all the Citizens of *Briſtol*, reſident within the City, Suburbs, and Liberties thereof, and all Noblemen, Gentlemen, Clergy-men, and others reſident within the ſame, that have not otherwiſe been engaged in Arms, or hoſtility againſt the Parliament then in defence of the ſaid City, Caſtle, or Forts, ſhall freely enjoy the liberty of their Perſons, and alſo of their Houſes, Lands, Goods and Eſtates at their own diſpoſal, according to the known and Enacted Laws of the Land (they continuing from henceforth either in the ſaid City, or elſewhere under the obedience and protection of the Parliament) and this Article to extend to thoſe of them whoſe Eſtates are Sequeſtred, as well as thoſe that are not Sequeſtred, and that they may quietly reſt at their Abodes, or travel freely and ſafely upon their occaſions, and for their removal of their Goods, ſhall have ſuch liberty, as is hereafter provided in the Fifteenth Article.

9. That all or any of the Perſons above mentioned, who ſhall deſire to go beyond the Seas upon their private occaſions, and ſhall give aſſurance from henceforth not to bear Arms, or act any thing againſt the Parliament, or to the prejudice of their Affairs, ſhall have liberty to paſs to any place beyond the Seas any time within three Months.

10. That no Gariſon, ſave the Citizens themſelves, ſhall without their conſent be put into the City, except in the Caſtle and Forts, and what force ſhall be placed therein, ſhall be maintained at the charge of the State.

11. That no Churches be defaced, that the ſeveral Members of the Foundation of the Cathedral in *Briſtol*, ſhall quietly enjoy their Houſes belonging to their Places, and for the Revenues of them, as alſo the Miniſters of the City for their Benefices, they ſhall be in the ſame ſtate and condition with other Clergy-men of their quality continuing in the protection and obedience of the Parliament.

12. That no Oaths other than ſuch as are required by the Enacted Laws of the Land ſhall be impoſed upon any Perſon, that now is, and ſhall continue in the ſaid City, Suburbs, and Liberties, either by the General, or any other by his Authority.

13. That the Mayor, Sheriffs, Aldermen, and Citizens within the Corporation of the City of *Briſtol* ſhall be free in their Perſons and Eſtates, and enjoy all their Priviledges, Liberties, and Immunities in as full and ample manner as formerly before the beginning of this War, and ſhall have freedom of Trade by Land and Sea to all Places, and with all Perſons not in hoſtility againſt the Parliament, paying ſuch Duties and Cuſtoms to the Officers appointed by the Parliament, as formerly they have done to his Majeſty; and that no Mulct or Fine be impoſed on any Perſon mentioned in this Article, nor any of them queſtioned upon pretence of any act or thing done or committed before the date hereof, the King's Forces marching forth as aforeſaid, and that no free Quarters ſhall be put upon them without their own conſents.

14. That all other Perſons whoſe Dwellings are in this City, and now abſent, ſhall have the full benefit of theſe Articles as if they were preſent, provided that ſuch of them as are elſwhere in Arms againſt the Parliament, do come in within one Month after the date hereof.

15. That all Noblemen, Gentlemen, and others who have Goods in the ſaid City, and are now preſent or abſent, ſhall have liberty at any time within one Month to diſpoſe of their ſaid Goods as they pleaſe, except it be Arms or Ammunition.

16. That there ſhall be no Plundering admitted under what pretence ſoever, nor any taking away of any Man's Perſon, or any part of his Eſtate contrary to theſe Articles, and that Juſtice according to the known Laws of this Land be adminiſtred to all Perſons within this City by the Civil Magiſtrates.

17. That

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17. That in conſideration hereof, the City of *Briſtol*, with the Caſtle, and all the Forts and Fortifications thereof, without any ſlighting or defacing thereof, and all the Ordnance, Arms, Ammunition, and other Furniture and Proviſions of War therein, without diminution or imbezlement (excepting what is allowed to be carried as before) ſhall be delivered up to Sir *Tho. Fairfaix* on *Tueſday* Morning next by Nine of the Clock, at which time the Prince with all the Perſons mentioned in the firſt Article that march out, then naming what Army or Gariſon of the King's he will march unto.

18. That none of them in their marching out, or before, ſhall Plunder, hurt, or ſpoil the Town, or any Perſon in it, nor carry out any thing but what is properly their own (except before excepted.)

19. That the Convoy, and two Officers to be ſent with the Prince (as before) in the Sixth and Seventh Articles, ſhall not have any violence offered or done to them by any of the King's Forces during the ſaid Eight Days allowed for the Prince his March, and Seven Days more for their return to the Army.

20. That ſufficient Hoſtages ſhall be delivered immediately upon Signing hereof for performance of thoſe Articles on both parts,

Signed and Sealed.

THO. FAIRFAX.

Wherein his Highneſs finding ſundry omiſſions of ſeveral Clauſes, and ſome Propoſitions totally left out, returned him this Letter with the Poſtſcript.

SIR,

ALthough I conceive my former Propoſitions ſo well Grounded upon Honour and Juſtice, as that I cannot well recede from them, yet for preventing of effuſion of Blood, and for the welfare of this place with which I am intruſted, I am willing ſo far to aſſent unto you as to leave the Caſtle undemoliſhed; but for the other Forts and Lines, to have them abſolutely ſlighted, and for all the other Articles to ſtand firm as I propoſed them, to which if you will aſſent, I will then ſend Commiſſioners unto you to regulate, and ſettle all things between us, which will occaſion me to reſt.

Sept. 8. 1645. *Your Servant,*

RUPERT.

SIR,

I have returned you your Propoſitions again, finding many alterations and omiſſions in them, very prejudicial to thoſe whom I am obliged in honour, and am reſolved to protect.

But Sir *Thomas Fairfax* being conſtant to his own Propoſitions gave this Anſwer.

SIR,

I Have offered what is fair for your Honour, and the Townſmens Immunity, and for what I demanded, I can accept no leſs, except I ſhould grant all for nothing, and though for that point of the Townſmens ſecurity, I ſhall be moſt willing to ſupply any thing that might be thought wanting in my offers, yet to admit a new conſideration upon your Propoſitions, would tend to, and (I doubt) end in nothing elſe but further delay, for by all your Letters, and the whole carriage in this buſineſs, I find the advantage of time wholly, or chiefly intended. As you have thus far had your end therein, I have not loſt mine, that is, to make my proceedings more clear, and innocent before God and the World, and having

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ving done this, I can with a clear confidence truſt God for a better iſſue in another way; you have my reſolution, which if you accept not, I deſire nothing further but the return of my Trumpet by Noon, and that he may not be detained as formerly. I remain, Sir, 21 *Caroli.*

Sept. 9. 1645. *Your Highneſs's Humble Servant,*
THO. FAIRFAX.

Hereupon his Highneſs and the Commanders, reſolving not to break off nor conclude the *Treaty* untill that they might hear from the *King*, unleſs forced thereunto, returned this Anſwer:

His Highneſs's Anſwer.

SIR,

HOW fair your Offers are to my Honour, I hope you will give me the liberty to judge, finding you wanting in your care of the Noblemen, Commanders, and Soldiers that are under my protection, of whom I am bound to have an equal care with my ſelf, and am ſorry to find ſo ill a conſtruction made of my fair proceedings and intentions in this my intercourſe of Letters; ſince you interpret that a delay, which on my part was but a compliance to what you propounded, tending to the prevention of effuſion of Blood, and to the good of the Kingdom, to which the ſlighting of the Caſtle, Forts and Works, was the moſt conducible means, ſince that can only ſettle this City in the condition of its former peace, and might have been a leading preſident to the happineſs of the whole Kingdom. Thus you may ſee the reality of my Ends, which ſince you took the liberty to queſtion, give me leave to tell you, that yours have not been ſuch to me as you have profeſt before God and the World, by what I have ſeen under your Hand and Seal propoſed to others, nevertheleſs I ſhall never decline to embrace any overture that tends to the general peace of this Nation, and in particular of this City, and thoſe under my protection and command, which is the only endeavour and ſtudy of, Sir,

Sept. 9. 1645. *Your Servant,*
RUPERT.

Upon the Tenth of *September* the Enemy Stormed the Line generally, about Two in the Morning, and his Highneſs having received Intelligence a little before of it, all were in a readineſs to receive them, they entred the Line where the Townſmen and New *Welſh* were, as at *Stokeſcroft*-Gate, where the Officer in chief, who was Mayor of the Town was ſlain in the place, and at *Lafford*'s-Gate, where many of the Officers and Soldiers were taken and killed; and the ſame time they Stormed *Pryor*-Hill Fort, and took it, which was the loſs of the whole Line, they being beaten off, in the other parts of the Town; then the day breaking we found them in full poſſeſſion of the Line and Fort, which cauſed our Horſe and Foot to Retreat to the great Fort, who were preſently Commanded into the City to make that good, leaving the other Works ſufficiently Manned, as *Golſon*'s Fort, *Brandon*-Hill, and the New Redoubt without the Line. Finding our ſelves in this condition, and conſidering the Engagement of thoſe within the City and Caſtle, and that the Lord *Hawley*, Sir *Matthew Appleyard*, and Col. *Slingsby* with their Men were in danger to be cut off, the Enemy being between us and them, his Highneſs was moved by the Officers to entertain a Treaty in time, before thoſe were loſt; His

Ann. 1645. Highneſs condeſcending thereunto, ſent a Trumpet to Sir *Thomas Fairfax*, to know whether he would Treat or not? who accepting it, Commiſſioners were nominated on our part, Sir *William Vavaſour*, Sir *John Mennes*, and Col. *Henry Tillier*; the firſt thing propoſed was a Ceſſation of Arms, and in the mean time every one to keep his Poſt. They firſt propoſed his Highneſs former Propoſitions; but our condition being then altred, and they ſenſible of their own ſucceſs, would not admit them, but would Treat upon New Propoſitions, which after long Debate were as followeth.

Articles of Agreement between the Commiſſioners appointed on the behalf of his Highneſs Prince Rupert, *and his Excellency Sir* Tho. Fairfax, *for the Surrender of the City of* Briſtol, *Sept.* 10. 1645.

Articles for the Surrender of *Briſtol.*

1. THAT his Highneſs Prince *Rupert*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Perſons whatſoever now reſiding in the City of *Briſtol*, and the Caſtle and Forts thereof, ſhall march out of the ſaid City, Caſtle and Forts thereof, with Colours, Pikes, and Drums, Bag and Baggage; The Prince his Highneſs, all Noblemen, Gentlemen, and Officers in Commiſſion, with their Horſes and Arms, and their Servants with their Horſes and Swords, and Common Soldiers, with their Swords, the Prince his Life-Guard of Horſe, with their Horſes and Arms, and 250 Horſe beſides to be diſpoſed of by the Prince; and his Life-Guard of Fire-locks with their Arms, and each one of them one Pound of Powder, and a proportion of Bullet, and that none of the Perſons, who are to march out upon this Article ſhall be Plundered, ſearched, or moleſted.

2. That ſuch Officers and Soldiers as ſhall be ſick or wounded in the City, Caſtle, and Forts, ſhall have liberty to ſtay until their recovery, and then have ſafe Conduct to go to his Majeſty, and in the interim be protected.

3. That the Perſons above mentioned who are to march away ſhall have a ſufficient Convoy provided for them, for their ſecurity to any ſuch *Gariſon of the King's, as the Prince ſhall name*, not exceeding fifty Miles from *Briſtol*, and ſhall have Eight Days allowed for their March thither, and ſhall have Free Quarter by the way, and ſhall have two Officers appointed to attend them for their accommodation, and Twenty Waggons for their Baggage if they have occaſion to uſe the ſame.

4. That all the Citizens of *Briſtol*, and all Noblemen, Gentlemen, Clergymen, and all other Perſons reſiding in the ſaid City and Suburbs of the ſame, ſhall be ſaved from all Plunder and violence, and be ſecured in their Perſons and Eſtates, from the violence of the Soldiers, and ſhall enjoy thoſe Rights and Liberties which other Subjects enjoy under the protection and obedience of the Parliament.

5. That in conſideration hereof, the City of *Briſtol* with the Caſtle, and all the Forts and Fortifications thereof, without any ſlighting and defacing thereof, and all the Ordnance, Arms, Ammunition, and all other Furniture and Proviſions of War (excepting what is before allowed) ſhall be delivered up to Sir *Thomas Fairfax* on *Thurſday* the Eleventh of this Month, by Three of the Clock in the Afternoon, without any diminution or imbezlement, his Highneſs Prince *Rupert* then naming to what Army or Gariſon of the King's he will march to.

6. That none of the Perſons who are to march out on this Agreement, ſhall Plunder, hurt, or ſpoil the Town, or any perſon in it, or carry out any thing but what is properly their own.

7. That upon Signing theſe Articles, Col. *Okey*, and all perſons now in Priſon in the City of *Briſtol*, the Caſtle, or Forts of the ſame, ſhall immediately be ſet at liberty.

8. That ſufficient Hoſtages, ſuch as he ſhall approve, be given to Sir *Thomas Fairfax* this Night, who are to remain with him until the City be delivered unto him.

9. That

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9. That neither the Convoy, nor Officers ſent with the Prince, ſhall receive any injury in their going or coming back, and ſhall have Seven Days allowed for their return.

10. That upon delivery of the Town ſufficient Hoſtages be given for performance of the Articles on both parts.

Signed by us the Commiſſioners appointed on the behalf of his Highneſs Prince *Rupert*, *William Vavaſour*, *John Mennes*, *Henry Tillier*.

Signed by us the Commiſſioners appointed on the behalf of his Excellency Sir *Thomas Fairfax*, *E. Mountague*, *Tho. Rainsborough*, *J. Pickering*.

But in that particular Point of laying down our Fire-Arms, there could be no Concluſion made without his Highneſs's Pleaſure firſt known, who thereupon called all the Commanders to deliver their Opinions therein, and upon full Debate they concluded, as by their Subſcriptions appears, that if better Conditions could not be obtained, then to accept of thoſe.

It is our general opinion that if better Conditions cannot be Granted, We aſſent to the leaving of the Fire-Arms of the Private Soldiers.

Rupert, *Horatio Carey*, *Jo. Steward*, *Ed. Manwaring*, *Tho. Leigh*, *Will. Powell*, *John Ruſſell*, *William Munday*, *Tho. Daniel*, *Mer. Touchet*, *B. De Gomme*, *Ed. Hutchinſon*, *Theo. Kirton*, *Will. Pretty*, *Tho. Coningsby*, *Fra. Radcliffe*, *H. Ventris*, *W. Symonds*, *Rich. Price*.

Briſtol Surrendred by Pr. *Rupert*, *Sept.* 11. 1645.

And thereupon there was a full Concluſion of the Treaty. The next day upon ſome Inſolencies of the Soldiers, his Highneſs ſent to Sir *Thomas Fairfax*, that the Articles were violated, and that if there was not a preſent redreſs, he would ſtand upon his own defence, and rather die than ſuffer thoſe injuries; and thereupon for his Highneſs ſatisfaction we had liberty to march with our Arms unto our Quarters.

For ſome days before the approach of the Enemy, and during the whole Siege, his Highneſs received not any Letter from his Majeſty, nor from the Prince of *Wales*, nor from any General, or Miniſter of State, until his coming to *Cyrenceſter*; only the Governour of *Hereford* ſignified the Riſing of the *Scots*, and their marching towards *Glouceſter*, and a deſire to have ſome Ammunition from him. Notwithſtanding his Highneſs made ſeveral diſpatches by all the convenient means he could.

The Well in the great Fort was not half finiſhed, the Water ſcant, and troubled, and far inſufficient for the uſe of the Numbers that were there.

It may be objected, That notwithſtanding the Enemies power and Force, and their entring the Line, yet the Caſtle and great Fort might have held out ſo long that probably relief might have come, and that therefore there was not any preſſing neceſſity to precipitate the rendition of thoſe Places.

To which this is replied, That any timely relief was utterly improbable, conſidering that during the whole Siege, his Highneſs ne'er received any Intelligence from his Majeſty, nor from the *Weſt*; and though his Highneſs well knew in what condition his Majeſty's Army was, yet if his Majeſty could have drawn together all the power he expected, the Enemy could have Block'd up the Caſtle, and Fort, and have advanced 12000 Men to have fought a Battel,

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Nevertheleſs, although theſe Reaſons were of that validity, that his Highneſs could but deſpair of relief, yet another important conſideration was in it ſelf ſingly ſufficient to exclude all credence of poſſibility, which was that the *Scots*, upon removal from *Hereford*, march'd to *Glouceſter*, where their whole Body was the Eighth of *September*, an intermediate place, near which his Majeſty muſt have march'd, and can any rational Man imagin them ſo ſtupidly unactive, as to ſuffer his Majeſty to paſs ſo near them without oppoſition, conſidering what effective Forces they had, and their Commanders neither ignorant or idle to entertain opportunities for action.

CHARLES R.

WHereas Our Right Dear and Intirely Beloved Nephew Prince *Rupert*, did at a Council of War, held by Us, at *Newark* the Eighteenth of this Inſtant *October*, there being then preſent Our Right Truſty and Welbeloved Couſin and Councellor *Montague* Earl of *Lindſey*, Lord Great Chamberlain of *England*; Our Right Truſty, and Right Welbeloved Couſin, *Richard* Earl of *Cork*; Our Right Truſty and Welbeloved *Jacob* Lord *Aſtley*, Field-Marſhal General of Our Army; *John* Lord *Bellaſis*, Captain General of Our Horſe-Guards; and *Charles* Lord *Gerrard*, Lieutenant-General of all Our Horſe-forces; Our Truſty and Welbeloved Sir *Richard Willis*, Knight and Baronet, Governour of *Newark*, and *John Aſhburnham* Eſq; our Treaſurer at War, deſire to clear himſelf for the rendring of the City and Gariſon of *Briſtol*, with the Caſtle and Forts thereof, and thereupon produced a Narrative of the matter of fact during the ſaid Siege, with the Articles for the rendring of thoſe Places, which being accordingly read and conſidered: We were then pleaſed to ſay, That We did not believe Our ſaid Nephew to be guilty of any the leaſt want of Courage or Fidelity to Us in the doing thereof, but withal We believed that he might have kept the Caſtle and Fort a longer time. We having abſolutely reſolved ſpeedily to have drawn together all the Forces we poſſibly could, and to have hazarded our own Perſon for his relief: Our deſign being ſo laid as that in probability it would have ſucceeded, to which our ſaid right Dear Nephew anſwered, that what ever he did therein, was by the advice of the Council of War of that Gariſon, and that he could not in his Judgment poſſibly expect ſuch relief; beſides he alledged that he had not received from Us any intimation thereof, but ſaid, that if he had, he would have maintained

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thoſe places to the laſt Man, though the tender regard he had to the preſervation of ſo many Officers and Soldiers, was the chief reaſon that induced him to Capitulate for the whole, they having ſo long and faithfully ſerved Us, all which Our ſaid right Dear Nephew humbly ſubmitted to Our Judgment. Who upon which at a ſecond Hearing before Our Self this 21*ſt* day of *October*, the Lords and others above named being then likewiſe preſent, and upon a ſerious conſideration of the whole matter, We were then pleaſed to declare that We were fully ſatisfied that our ſaid Right Dear Nephew Prince *Rupert*, is not guilty of any the leaſt want of Courage or Fidelity to Us, or our ſervice in that action, and We then gave leave to the Lords and others above ſpecified, to declare their opinions in that point. Who upon Our leave, and a full conſideration of the Narrative formerly delivered, did Unanimouſly concur with Us, Declaring likewiſe that Our ſaid Right Dear Nephew is not guilty of any the leaſt want of Courage or Fidelity to Us or Our Service in that action. *Given under Our Sign Manual at Our Court at* Newark *this* 21*ſt of* Octob. 1645. 21 *Caroli.*

Whereas in this his Highneſs's Narrative there is mention made of the King's Common Soldiers marching away with their Arms, the ſame is to be underſtood thus: After the Articles concluded, ſome breach of Articles being alledged by his Highneſs, and alſo that he was in fear that the *Club-men* might fall upon his Soldiers unarm'd, and doubted the Convoy would not be able to ſecure them in their Paſſage to *Oxford*, whither he declared it was his intention to march, deſired *Fairfax* to let him have 1000 Arms for his Foot, Engaging on his Honour they ſhould injure no Man therewith, only make uſe of them (if need were) to ſecure themſelves from the violence of the People, and when they came up to *Oxford* to return them back again by the Convoy, which was done accordingly.

In this Service before *Briſtol* there were loſt on the Parliament's ſide Major *Bethel*, and Major *Cromwell* (who both died ſoon after of their Wounds); Lieut. Col. *Pureſoy*, and Capt. *Hill*, kill'd upon the place; Major *Read*, and Capt. *Ireton*, and ſeveral other Officers Wounded.

As to what Ordnance, Arms, Ammunition and Proviſions were found in the Forts, City and Caſtle, the ſame with other Particulars are mentioned to be as followeth in *Cromwell's* Letter to the *Speaker*.

SIR,

IT hath pleaſed the General to give me in charge to repreſent unto you a particular account of the taking of *Briſtol*, the which I gladly undertake; After the finiſhing of that Service at *Sherborn*, it was diſputed at a Council of War, Whether we ſhould march into the *Weſt*, or to *Briſtol*? Amongſt other Arguments the leaving ſo conſiderable an Enemy at our Backs, to march into the heart of the Kingdom, the undoing of the Country about *Briſtol*, which was exceedingly haraſſed by the Prince his being thereabouts but a Fortnight; the Correſpondency he might hold in *Wales*, the poſſibility of uniting the Enemy's Forces where they pleaſed, and eſpecially the drawing to an Head the diſaffected *Club-men* of *Somerſet*, *Wilts* and *Dorſet*, when once our Backs were towards them. *Cromwell's* Letter of taking of *Briſtol*, *Sept.* 14. 1645.

Theſe Conſiderations, together with taking ſo important a place, ſo advantagious for the opening of Trade to *London*, did ſway the Ballance, and beget that Concluſion. When we came within four Miles of the City, we had a new Debate, Whether we ſhould endeavour to Block it up, or make a Regular Siege? The latter being over-ruled, Col. *Welden* with his Brigade marched to *Pile-Hill*, on the South-ſide of the City, being within Muſquet-ſhot thereof, where in a few days they made a good Quar-

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Quarter, over-looking the City. Upon our advance, the Enemy fired *Bedminſter*, *Clifton*, and ſome other Villages lying near to the City, and would have fired more, if our unexpected coming had not hindered. The General cauſed ſome Horſe and Dragoons under Commiſſary General *Ireton*, to advance over *Avon*, to keep in the Enemy on the North-ſide of the Town, untill the Foot could come up; and after a day, the General with Col. *Montague's*, and Col. *Rainsborough's* Brigades, marched over at *Kenſham* to *Stapleton*, where he Quartered that Night; the next day, Col. *Montague* (having his Poſt aſſigned) with his Brigade, was to ſecure all between the Rivers *Froome* and *Avon*, he came up to *Lawford's* Gate within Muſquet-ſhot thereof: Col. *Rainsborough's* Poſt was near to *Durdam-down*, whereof the Dragooners and three Regiments of Horſe made good a Poſt upon the *Down*, between him and the River *Avon*, on his Right hand, and from Col. *Rainsborough's* Quarters to *Froom* River, on his left, a part of Col. *Birch*, and Major General *Skippon's* Regiment were to maintain that Poſt. Theſe Poſts thus ſetled, our Horſe were forced to be upon exceeding great Duty, to ſtand by the Foot, leſt the Foot being ſo weak in all their Poſts, might receive an affront. And truly herein we were very happy, that we ſhould receive ſo little loſs by Sallies, conſidering the paucity of our Men to make good the Poſts, and Strength of the Enemy within: By Sallies (which were three or four) I know not that we loſt thirty Men in all the time of our Siege. Of Officers of Quality, only Col. *Okey* was taken by miſtake, going to the Enemy, thinking they had been Friends, and Capt. *Guilliams* ſlain in a Charge. We took Sir *Bernard Aſhley*, and killed Sir *Richard Crane*, (one very conſiderable with the Prince.) We had a Council of War concerning the Storming of the Town, about eight days before we took it; and in that there appeared great unwillingneſs to the Work, through the unſeaſonableneſs of the Weather, and other apparent difficulties. Some inducements to bring us thither, was the report of the good affection of the Townſmen to us, but that did not anſwer expectation. Upon a ſecond conſideration, it was over-ruled for a Storm; which no ſooner concluded, but difficulties were removed, and all things ſeemed to favour the deſign; and truly there hath been ſeldom the like cheerfulneſs to any work like to this, after it was once reſolv'd on. The day and hour of our Storm was appointed to be on *Wedneſday* Morning the Tenth of *September* about One of the Clock: We choſe to act it ſo early, becauſe we hoped thereby to ſurpriſe the Enemy. With this reſolution alſo, to avoid confuſion, and falling foul one upon another; that when we had recovered the Line, and Forts upon it, we could not advance further until day. The General's Signal unto a Storm, was, the firing of Straw, and diſcharging four Pieces of Cannon at *Pryors*-Hill Fort: The Signal was very well perceived of all, and truly the Men went on with great reſolution, and very preſently recovered the Line, making way for the Horſe to enter. Col. *Montague*, and Col. *Pickering*, who Stormed at *Lawford's* Gate, where was a Double Work, well filled with Men and Cannon, preſently entred, and with great reſolution beat the Enemy from their Works, and poſſeſſed their Cannon; their Expedition was ſuch, that they forced the Enemy from their advantages, without any conſiderable loſs to themſelves: They laid down the Bridges for the Horſe to enter, Major *Desborough* commanding the Horſe, who very Gallantly ſeconded the Foot: Then, our Foot advanced to the City-Walls, where they poſſeſſed the Gate againſt the *Caſtle-Street*; whereinto were put an hundred Men, who made it good. Sir *Hardreſs Waller* with his, and the General's Regiment, with no leſs reſolution, entred on the other ſide of *Lawford's* Gate, towards *Avon*-River, and put themſelves into an immediate conjunction with the reſt of the Brigade. During this, Col. *Rainsborough*, and Col. *Hammond* attempted *Pryors*-Hill Fort, and the Line downward towards *Froom*; and the Major-General's Regiment being to Storm towards *Froom*-River, Col. *Hammond* poſſeſſed the Line immediately, and beating the Enemy from it, made way for the Horſe to enter. Col. *Rainsborough*, who had the hardeſt task of all at *Pryors*-Hill Fort, attempted it and fought near three hours for it, and indeed there was great deſpair of carrying the

place

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place, it being exceeding high, a Ladder of thirty Rounds ſcarcely reaching the top thereof; but his reſolution was ſuch, that notwithſtanding the inacceſſibleneſs and difficulty, he would not give over. The Enemy had four Pieces of Cannon upon it, which they plied with round, and Caſe-ſhot upon our Men; his Lieut. Col. *Bowen*, and others, were two Hours at Puſh of Pike, ſtanding upon the Pallizadoes, but could not enter. Col. *Hammond* being entred the Line, and Capt. *Ireton* with a Forlorn of Col. *Rich* his Regiment, interpoſing with his Horſe, between the Enemies Horſe, and Col. *Hammond*, received a Shot with two Piſtol-bullets, which broke his Arm; by which means the entrance of Col. *Hammond* did Storm the Fort on that part which was inward; by which means Col. *Rainsborough*, and Col. *Hammond*'s Men entred the Fort, and immediately put almoſt all the Men in it to the Sword.

And as this was the place of moſt difficulty, ſo of moſt loſs to us on that ſide, and of very great honour to the undertaker; the Horſe did ſecond them with great reſolution. Both theſe Colonels do acknowledge, that their Interpoſition between the Enemy's Horſe, and their Foot, was a great means of obtaining of this ſtrong Fort, without which all the reſt of the Line to *Froom*-River would have done us little good; and indeed neither Horſe nor Foot would have ſtood in all that way in any manner of ſecurity had not the Fort been taken.

Major *Bethel*'s were the firſt Horſe that entred the Line, who did behave himſelf Gallantly, and was ſhot in the Thigh, had one or two ſhot more, and had his Horſe ſhot under him. Col. *Birch* with his Men, and the Major-General's Regiment, entred with very good reſolution where their Poſt was; poſſeſſing the Enemy's Guns, and turning them upon them.

By this, all the Line from *Pryors*-Hill Fort to *Avon* (which was a full Mile) with all the Forts, Ordnance and Bulwarks, were poſſeſſed by us, but one, wherein there were about Two hundred and twenty Men of the Enemy, which the General Summoned, and all the Men ſubmitted.

The Succeſs on Col. *Welden*'s Side did not anſwer with this; and although the Colonels, and other the Officers and Soldiers, both Horſe and Foot, teſtified as much reſolution as could be expected; Col. *Welden*, Col. *Ingoldsby*, Col. *Herbert*, and the reſt of the Colonels and Officers both of Horſe and Foot, doing what could be well looked for from Men of Honour; yet what by reaſon of the heighth of the Works, which proved higher than report made them, and the ſhortneſs of the Ladders, they were repulſed with the loſs of about an hundred Men; Col. *Forteſcue*'s Lieut. Col. was killed, and Major *Cromwell* dangerouſly ſhot, and two of Col. *Ingoldsby*'s Brothers hurt, with ſome Officers.

Being poſſeſſed of thus much as hath been related, the Town was fired in three places by the Enemy, which we could not put out; which begat a great trouble in the General, and us all, fearing to ſee ſo famous a City burnt to aſhes before our faces. Whilſt we were viewing ſo ſad a Spectacle, and conſulting which way to make further advantage of our Succeſs, the Prince ſent a Trumper to the General, to deſire a Treaty for the Surrender of the Town; to which the General agreed, and deputed Col. *Montague*, Col. *Rainsborough*, and Col. *Pickering* for that Service, authorizing them with Inſtructions to Treat and conclude the Articles, which are theſe encloſed.

For performance whereof Hoſtages were mutually given. On *Thurſday* about Two of the Clock in the Afternoon, the Prince marched out, having a Convoy of Two Regiments of Horſe from us, and making Election of *Oxford* for the place he would go to, which he had liberty to do by his Articles.

The Cannon which we have taken are about One hundred and forty mounted, about One hundred Barrels of Powder already come to our hands, with a good quantity of Shot, Ammunition and Arms. We have found already between Two and three thouſand Muſquets. The Royal Fort had Victuals in it for One hundred and fifty Men, for Three hundred and twenty days; the Caſtle Victualled for near half ſo long. The

Prince

Ann. 1645. Prince had Foot of the Garison, as the Major of the City informed me, Two thousand five hundred, and about one thousand Horse, besides the Trained Bands of the Town, and Auxiliaries one thousand, some say, one thousand five hundred. I hear but of one Man that hath died of the Plague in all our Army, although we have Quartred amongst, and in the midst of infected persons and places: We had not kill'd of ours in the Storm, nor all this Siege Two hundred Men.

Thus I have given you a true, but not a full account of this great Business; wherein he that runs may read, that all this is none other than the Work of God: He must be a very *Atheist* that doth not acknowledg it.

It may be thought that some Praises are due to these Gallant Men, of whose Valour so much mention is made: Their humble Suit to you, and all that have an Interest in this Blessing, is, that in the remembrance of God's Praises, they may be forgotten. It is their Joy, that they are Instruments of God's Glory, and their Countrys good: It is their Honour that God vouchsafes to use them. *Sir*, They that have been employed in this Service know, that Faith and Prayer obtained this City for you: I do not say ours only, but of the People of God with you, and all *England* over, who have wrestled with God for a Blessing in this very thing. Our desires are, that God may be Glorified by the same Spirit of Faith by which we ask all our Sufficiency, and have received it; it is meet that he have all the Praise. *Presbyterians*, *Independants*, all have here the same spirit of Faith and Prayer, the same Presence and Answer; they agree here, have no names of difference: Pity it is it should be otherwise any where. All that believe, have the real Unity, which is most Glorious, because inward; and Spiritual in the Body, and to the Head. For being united in Forms, commonly called Uniformity, every Christian will, for Peace sake, study, and do as far as Conscience will permit. And for Brethren in things of the Mind, we look for no compulsion, but that of Light and Reason, in other things God hath put the Sword in the Parliament's hands, for the terror of evil doers, and the praise of them that do well. If any plead exemption from it, he knows not the Gospel; if any would wring it out of your hands, or steal it from you under what pretence soever, I hope they shall do it without effect; that God will maintain it in your hands, and direct you in the use thereof, is the Prayer of

Bristol, Sept. 14. 1645.

Your Humble Servant,

OLIVER CROMWEL.

CHAP.

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CHAP. III.

The Proceedings of Fairfax's *Army, &c.*

THE Parliament being thus become Maſters of *Briſtol*, on *Saturday, Sept.* 13. a Council of War was called in their Army to adviſe whether they ſhould march preſently for the Relief of *Plimouth*, and further parts of the *Weſt*, or to clear thoſe Gariſons that did interpoſe between the *Weſt* and *London*; which latter was very neceſſary, for that if thoſe Gariſons were not reduced, they would hinder Correſpondency between *London* and the Army except at high rates, of very exceſſive trouble and charge to the Army by Convoys upon every occaſion. But it was reſolved for the preſent to attempt only the taking in of *Berkley*, and the *Devizes*, as thoſe that were the neareſt; deferring the reſt to further opportunities. Colonel *Rainsborough* for that purpoſe was Commanded to march with a Brigade (conſiſting of Major Gen. *Skippon*'s, Col. *Herbert*'s, and Lieut. Col. *Pride*'s Regiments) for the taking in of *Berkley* Caſtle (already blocked up by Horſe) the only Gariſon conſiderable left in the County of *Glouceſter*, interrupting the Paſſage between that City and *Briſtol*. Lieut. Gen. *Cromwell* was deſigned by the General with another Brigade (conſiſting of Col. *Mountague*'s, Col. *Pickering*'s, Sir *Hardreſs Waller*'s and Col. *Hammond*'s Regiments) for the taking in of the *Devizes*, and *Laicock* Houſe.

A Counſeil of War called.

Wedneſday, Sept. 17. General *Fairfax* marched to *Bath*, and reſted there four or five days, for the better recovery of his Health, having been much wearied out, and ſpent with the Fatigues he endured at *Briſtol*-Siege.

During which time *Cromwell* ſat down before the Caſtle of the *Devizes*, which commanded the County of *Wilts*, and was ſituate in the Road of Traffick between the *Weſt* and *London*; a place of great Strength, having been an old Fortification, raiſed on a huge Mount of Earth; the Governour Sir *Charles Lloyd*, a ſtout Gentleman, and a good Engineer, had added to the Strength of its natural Situation what Art could do; having cut out of the main Earth ſeveral Works commanding one another, and ſo ſtrong that no Cannon could pierce them; beſides that, being Pallizado'd and Stockado'd in moſt places, it was a matter of extream difficulty to Storm it: *Cromwell* having conveniently planted his Cannon and Mortar-pieces, on *Sunday* at One of the Clock he ſent in to Summon the Caſtle.

Lieut. Gen. *Cromwell* ſet down before the *Devizes*.

The Governour ſent forth word, That the King his Maſter put him in Truſt, and he deſired ten Days time to ſend to him; in the mean time he would keep it for the King. *Cromwell* in Reply wiſhed him not to let ſlip ſuch an opportunity: But if he were otherwiſe reſolved, gave leave to ſend forth his Lady, and ſuch other Gentlewomen as were in the Caſtle; adding that none were more fitting to keep ſtrong Holds, Forts and Caſtles, than the Parliament for the uſe of the King.

But all that the Governour returned was, *Win it and wear it.* Upon receipt of which Anſwer, *Cromwell* having put all things in readineſs for a Storm, gave Command to the Cannoniers preſently to give fire, and alſo to play the Mortar-pieces; which was according-

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ly done, and ſome of the Granadoes breaking in the midſt of the Caſtle (being open above) killed ſeveral of their Men, and much endangered the Blowing up of the Magazine; which ſo ſtartled them that on *Monday* about Eight of the Clock in the Morning, the Governour ſent forth for a Parley, and about Eleven of the Clock *Cromwell* ſent them in theſe Propoſitions following: *viz.*

The Governour Capitulates.

Conditions of Surrender.

1. That all Commanders and Gentlemen ſhould march to any Gariſon the King had within thirty Miles, with their Horſe and Arms: And that all Private Soldiers ſhould march away leaving their Arms behind them, but to go to the ſame Gariſons the Commanders marched to.

2. That all Gentlemen ſhould have liberty to go to their own Homes, or beyond the Seas.

3. That all Soldiers that have been formerly in the Parliament Service, ſhould be delivered up to the Lieut. Gen. and all Soldiers that would take up Arms in the Parliament Service ſhould be entertained.

To theſe Propoſitions a ſpeedy Anſwer was deſired, that ſo they might march away by Four of the Clock in the Afternoon. The Governour ſeeing no other Remedy, agreed to them all, (ſaving in point of Time) and delivered up the Caſtle on the Morrow at Ten of the Clock, at which time they marched out. The Governour and his Officers with their Arms, and his Foot without Arms, having the liberty of Three Carriages, and a ſafe Convoy to *Worceſter*. The number of Soldiers that marched out were about 400. In the Caſtle was found a very plentiful Magazine of Victuals, good ſtore of Ammunition, and two Pieces of Ordnance.

The *Devizes* Surrendred, *Sept.* 23.

Col. *Pickering* ſent to reduce *Laicock*-Houſe the ſame day.

No ſooner was the *Devizes* gained, but the ſame day Col. *Pickering* with his own and Two Regiments more, was Commanded to *Laicock*-Houſe, a Gariſon of the King's kept by Col. *Bovile*, who conſidering that neither *Briſtol* nor the *Devizes* were able to hold out againſt ſuch Force, did eaſily reſolve, that *a poor Houſe* was much leſs able, (though in truth there were good Works about it) therefore upon the firſt Summons, he came to Conditions of Surrender, and had Honourable Terms granted him: Upon which he march'd out the next day towards *Exeter*, *viz.* Himſelf, his Officers and Soldiers, with their Arms and Baggage.

Barkley-Caſtle Stormed by Col. *Rainsborough*.

The ſame day Col. *Rainsborough* with his Forces before *Barkley*-Caſtle Storm'd the Out-works and the Church, which were the main Strength of the Caſtle, with Scaling Ladders, performing the Service with ſo much reſolution, as quickly made them Maſters of the Place; wherein were taken ninety Priſoners, beſides forty put to the Sword, amongſt whom were a Major and a Captain. This was ſuch a terror and diſcouragement to thoſe within the Caſtle, to ſee the Execution done upon theirs in the Church and Out-works, that the Governour Sir *Charles Lucas* perceiving the planting of their Ordnance againſt him upon his own Works (which were newly loſt, whereby they had a great advantage to play into the Caſtle) ſounded a Parley, which was yielded to, and Commiſſioners ſent out to Treat, and the Caſtle was Surrendred upon theſe Articles. The Soldiers to march out without Arms; the Governour Sir *Charles Lucas* with Three Horſes and Arms, and not above Fifty Pound in Money, every Field-Officer with Two Horſes, and but Five Pound in Money; Foot-Captains with Swords, but no Horſes; the Soldiers with not above Five Shillings apiece.

Barkley Caſtle Surrendred *Sept.* 26.

There

Caroli 21.

There march'd out of this Caſtle about 500 Horſe and Foot, who left in it Eleven Pieces of Ordnance, Proviſion of Victuals for Six Months (afterwards ſold for a good value, for the uſe of the Soldiery.) On the Beſiegers-ſide were loſt in that Service one Captain, and divers Common Soldiers, and many Wounded. Col. *Herbert* as he led on his Men to Storm, was ſhot through the Hat, but without further hurt.

On *Sept.* 26. *Fairfax* having call'd a Council of War, wherein it was reſoved to march with the Main Body of the Army into the *Weſt*, ſent away his Lieut. Gen. *Cromwell* with the beforementioned Brigade (conſiſting of Four Regiments of Foot, and Three Regiments of Horſe) to attempt the taking in of the Gariſons of *Wincheſter* and *Baſing*-Houſe, which would otherwiſe interrupt the Entercourſe between *London* and *Fairfax*'s Army.

Accordingly *Cromwell* advanced to *Wincheſter*, and took it upon Articles. Touching the manner of which he gave this following Account to the General.

Lieut. Gen. *Cromwell*'s Letter of the taking of *Wincheſter*.

SIR,

I Am come to *Wincheſter* on the *Lords-Day*, being the Twenty eighth of *September*, with Col. *Pickering*, Commanding his own, Col. *Mountague*'s, and Sir. *Hardreſs Waller*'s Regiments. After ſome Diſpute with the Governour, we entred the Town; I Summoned the Caſtle; but was denied, whereupon we fell to prepare our Batteries, which we could not perfect, ſome of our Guns being out of order untill *Friday* following; Our Battery was Six Guns, which being finiſhed, after once firing of them round, I ſent him a ſecond Summons for a Treaty, which they refuſed; whereupon we went on with our Work, and made a Breach in the Wall, near the Black Tower, which after about 200 ſhot, we thought Stormable, and purpoſed on *Monday* Morn to attempt it. On *Sunday* about Ten of the Clock, the Governour beat a Parley, deſiring to Treat: I agreed unto it, and ſent Col. *Hammond* and Major *Harriſon* in to him, who agreed unto theſe incloſed Articles.

The Caſtle was well Manned, with 680 Horſe and Foot, there being near 200 Gentlemen Officers, and their Servants; well Victualled, with 1500 Weight of Cheeſe, very great ſtore of Wheat and Beer, near Twenty Barrels of Powder, Seven Pieces of Cannon, the Works were exceeding good and ſtrong. It is very likely it would have coſt much Blood to have gained it by Storm: This is repeated to you, that God may have all the Praiſe, for it is all his due. *Sir*, I reſt

Your Moſt Humble Servant,

O. CROMWELL.

Articles agreed upon the Fifth of *October* 1645, between the Right Honourable *William* Viſcount *Ogle*, Governour of the Gariſon of the Caſtle of *Winton*, of the one part, and Col. *Robert Hammond*, and Major *Thomas Harriſon*, on the behalf of Lieutenant General *Oliver Cromwell* of the other Party, for the Surrender of the ſaid Caſtle.

1. That the Lord *Ogle* ſhall deliver up the Caſtle of *Wincheſter* with all the Arms, Ordnance, Ammunition, Proviſion, and all Function of War whatſoever, without any Imbezlement, waſt or ſpoil unto that Officer or Officers as ſhall be thereunto appointed by the ſaid Lieut. General to Morrow being *Monday* the Sixth of *October*, by Three of the Clock in the Afternoon.

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2. That the ſaid Lord *Ogle* ſhall have his own Colours, and One hundred ſixt Arms for his Guard, and One hundred Men to carry them.

3. That the Lord *Ogle*, and all the Officers in Commiſſion, ſhall march out of the ſaid Caſtle with their own Horſe and Arms, and their own proper Goods, unto *Woodſtock*, whither they ſhall be ſafely Conveyed.

4. That there ſhall be allowed to the Lord *Ogle* and his Officers Six Carriages for the Tranſporting of their Goods aforeſaid.

5. That all Officers, Gentlemen, Clergy-men, and Inhabitants of the City of *Wincheſter*, and all Officers within the Guards, deſiring it, may be at their own time free from all violence and injury of the Parliament's Forces.

6. That the Lord *Ogle* ſhall give ſufficient Hoſtages for the performance of the Articles here Conſtituted on their part to be performed, as for the ſafe return of the Convoy.

Proviſions found there, viz.

Seven Pieces of Ordnance.
Seventeen Barrels of Powder.
Two thouſand Weight of Muſquet-Bullet.
Eight hundred Weight of Match.
Thirty eight Hogſheads of Beef and Pork.
Fifteen thouſand Weight of Cheeſe.
Eight hundred Pound of Butter.
One hundred and forty Quarters of Wheat and Meal.
Three Hogſheads of *French* Wine.
Ten Quarters of Salt.
Twenty Buſhels of Oatmeal.
Seventy dozen of Candles.
Thirty Load of Wood.
Forty Quarters of Charcoal.
Thirty Buſhels of Seacoal.
Fourteen Sheep.
Four Quarters of freſh Beef.
Seven thouſand Weight of Biſket.
One hundred and twelve Hogſheads of Strong Beer.

The Caſtle was Manned with 700 Men, divers of them Reformadoes; the Chief Men there were Viſc. *Ogle* the Governour, Sir *John Pawlet* an Old Soldier, Sir *W. Courtney*, and Col. *Bennet*; alſo Dr. *Curle* the Biſhop of *Wincheſter*, who was ſafely convey'd to me.

A Complaint being made by ſome of the Gariſon for Injuries they had ſuſtained at their marching forth of *Wincheſter*, by being Plundered, contrary to the Articles, by ſome of the Parliament's Troopers; the matter was inquired into, and the Troopers that did it were apprehended and tryed by a Council of War, and condemned to die, and after Lots caſt for their Lives (being Six of them) he whoſe Lot it was, was Executed. And the other Five were ſent with a Convoy to *Oxford*, with a full account of this proceeding to Sir *Tho. Glemham* His Majeſty's Governour there, to be delivered over as Priſoners, and to be put to death, or otherwiſe puniſhed as he ſhould think fit: Which Juſtice was ſo well reſented, that Sir *Thomas Glemham* returned the Priſoners back again, with an acknowledgment of the Lieut. General's Civility in being ſo tender of breach of Articles.

From

21 *Caroli.*

From *Winton Cromwell* advanc'd to *Baſing*, the Houſe of my Lord Marquis of *Wincheſter*, which he having ſtrongly Fortified kept Gariſon therein himſelf for His Majeſty, and had already withſtood ſeveral Sieges, and always beat off the Enemy, or forced them to riſe with loſs: The Marquis declaring, That if the King had no more Ground in *England* but *Baſing*-Houſe, he would adventure as he did, and hold it out to the utmoſt Extremity; inſomuch that this Houſe was called by the King's Party *Loyalty*. The Works were many, the Line of Circumvallation above a Mile in compaſs. The old Houſe had ſtood ſome Hundreds of years, but the New one ſurpaſſed in ſtate and beauty, and either of them were fit for a Royal Palace.

Cromwell knew the Reſolution of this Gariſon, and therefore whatever it coſt him reſolved to Storm it, wherein he ſucceeded, and became Maſter of it on *Tueſday* the 14*th* of *October*, which was thus related by him in his Letter to the *Speaker*.

SIR,

Cromwell's Letter giving an account of the Storming and taking of *Baſing*-Houſe.

I Thank God I can give you a good account of *Baſing*: After our Batteries placed, we ſetled the ſeveral Poſts for the Storm: Col. *Dolbier* was to be on the North ſide next the *Grange*; Col. *Pickering* on his Left-hand, and Sir *Hardreſs Waller*'s, and Col. *Mountague*'s Regiments next him. We Stormed this Morning, after Six of the Clock; the Signal for falling on, was the Firing four of our Cannon, which being done, our Men fell on with great Reſolution and cheerfulneſs; we took the two Houſes without any conſiderable loſs to our ſelves: Col. *Pickering* Stormed the New Houſe, paſſed through and got the Gate of the Old Houſe; whereupon they Summoned a Parley, which our Men would not hear; in the mean time Col. *Mountague*'s, and Sir *Hardreſs Waller*'s Regiments Aſſaulted the ſtrongeſt Works where the Enemy kept his Court of Guard, which with great Reſolution they recovered, beating the Enemy from a whole Culverin, and from that Work, which having done, they drew their Ladders after them, and got over another Work, and the Houſe-Wall before they could enter. In this Sir *Hardreſs Waller* performing his Duty with Honour and Diligence, was ſhot in the Arm, but not dangerouſly. We have had little loſs; many of the Enemy our Men put to the Sword, and ſome Officers of Quality; moſt of the reſt we have Priſonſoners, among which the Marqueſs, and Sir *Robert Peak*, with divers other Officers, whom I have ordered to be ſent to you: We have taken about Ten Pieces of Ordnance, much Ammunition, and our Soldiers a good Encouragement.

I humbly offer to have this Place ſlighted for theſe Reaſons: It will ask 800 Men to Mann it; it is no Frontier, the Country is poor about it, the Place exceedingly ruined by our Batteries and Mortar-Pieces, and a Fire which fell upon the Place ſince our taking it. If you pleaſe to take the Gariſon of *Farnham*, ſome out of *Chicheſter*, and a good part of the Foot which are here under *D'Albier*, and make a ſtrong Quarter at *Newbery*, with three or four Troops of Horſe; I dare be confident it would not only be a curb to *Denington*, but a Security and Frontier to all thoſe Parts, and by lying there, will make the Trade moſt ſecure between *Briſtol* and *London* for all Carriages; and I believe the Gentry of *Suſſex* and *Hampſhire* will with more cheerfulneſs contribute to maintain a Gariſon on the Frontier than in their Bowels, which will have leſs ſafety in it. *Sir*, I hope not to delay, but march towards the *Weſt* to Morrow, and to be as diligent as I may in my Expedition thither. I muſt ſpeak my Judgment to you, that if you intend to have your Work carried on, Recruits of Foot muſt be had, and a courſe taken to pay your Army; elſe believe me, *Sir*, it may not be able to anſwer the Work you have for it to do.

I intreated Col. *Hammond* to wait upon you, who was taken by a miſtake whilſt we lay before this Gariſon, whom God ſafely delivered to us,

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tis, to our great joy, but to his loſs of almoſt all he had, which the Enemy took from him.

The Lord grant that theſe Mercies may be acknowledg'd with all Thankfulneſs: God exceedingly abounds in his Goodneſs to us, and will not be weary, until Righteouſneſs and Peace meet, and that he hath brought forth a Glorious Work for the happineſs of this poor Kingdom; wherein deſires to ſerve God and you, with a faithful heart.

Baſingſtoke, Octob. 14. 1645.

Your Moſt Humble Servant,
O. CROMWELL.

Langford-Houſe Surrendred to Cromwell, Oct. 18th.

From *Baſing*, *Cromwell* march'd to *Langford*-Houſe (near *Saliſbury*) and facing the ſame with part of his Brigade, ſent in a Summons, and the Governour conſidering that *Wincheſter* and *Baſing* had not been able to reſiſt that Force, and how much leſs he could hope to withſtand them, yielded to Surrender upon Articles, that the Commanders in chief ſhould march away with Horſe and Arms, the Gentlemen therein not exceeding Fourteen, with Swords and Piſtols, and the private Soldiers without Arms; and the Goods in the ſaid Houſe to be delivered to the ſeveral Owners within two days upon demand.

The General marches to *Warminſter*.

In the mean time General *Fairfax* on *Saturday*, *Sept.* 27. marched to *Warminſter*, and there made an Halt for two or three Days, till Col. *Rainsborough* from the taking of *Berkley*-Caſtle might come up to him. On the *30th* the Army advanc'd to *Shaftsbury*, being ſo out of Money that they were all forced to take free Quarter, and ſo on by continual Marches to *Chard*, whence on *Wedneſday*, *Octob.* the *8th*. *Fairfax* went to *Lyme* to ſee the ſtate of that Garriſon, where he ſtaid all Night. On the *11th* of that Month the Money which had been ſo long expected from *London* arrived at the Head-Quarters at *Chard*, and the ſame Night the Army was paid, having been ever ſince the taking of *Briſtol* without Pay.

To *Axminſter*.

On *Monday*, *Octob.* 13. part of *Fairfax*'s Army being advanced to *Axminſter* (and the Lord *Goring* with near 1500 Horſe being come on this ſide the River *Ex*, as far as *Poltimore.*) In the Night his Lordſhip, the Lord *Wentworth*, the Lord *Miller*, and a ſtrong Party of Cavalry paſſing through *Hunnington*, came on to *Blackdown*, fell into *Fairfax*'s Quarters, and took Priſoners about forty Foot, and twenty Dragoons. The next Night *Fairfax*'s Horſe, and moſt of his Foot lay in the Field about *Hunnington*, fearing the like ſurprize, or that the Lord *Goring* ſhould attempt to break through them to Joyn with the King, but on the *15th* underſtanding the Lord *Goring* was marched over the River *Ex*, *Fairfax* cauſed part of his Army to be Quartered along that River, at *Broadnixe*, *Silverton*, and *Columb-John*, within three or four miles of *Exeter*, to prevent his Return, and with the reſt of the Army marched to *Tiverton*, where Major-General *Maſſey* with his Horſe, and Col. *Welden*'s Brigade had been to Block it up.

Tiverton Caſtle taken by *Fairfax*, *Octob.* 19th.

On *Saturday*, *Oct.* 18. the Batteries were raiſed, and the next Day after Forenoon Sermon, a Council of War being called, it was reſolv'd to Storm (the ſeaſon of the year not admitting loſs of time) but whilſt they were conſulting the manner how to order the Attack, the Ordnance playing hard againſt the Works and Caſtle, a Round-ſhot happen'd to break the Chain of the Draw-Bridge, whereby the Bridge fell down, and immediately the Soldiers ſpying that Advantage, without

21 *Caroli.*

without waiting for Orders, poſſeſs'd themſelves of the Bridge, entred the Works, and made themſelves Maſters, firſt of the Church-yard, and ſoon after of both the Church and the Caſtle. Col. Sir *Gilbert Talbot* the Governour, who had made as brave a defence as was poſſible in ſuch a Juncture, being taken Priſoner with about 200 more, amongſt whom was one Major *George Sadler*, who formerly ſerved the Parliament, but deſerted them, and betook himſelf to the King's Party, but had lately made ſeveral private Overtures if he might be pardoned, which being rejected, and he now taken, was called before a Council of War, and condemned to ſuffer death for his former deſertion, who to ſave his Life broke Priſon (after Sentence) and fled to *Exeter*, but there was again by the Royal Party tried by a Council of War, for endeavouring to betray their Cauſe after he had undertaken it, being charged to have treacherouſly quitted his Poſts in this Action at *Tiverton*, and for the ſame was adjudged to die, and Executed accordingly.

Treachery remarkably puniſh'd.

In the next place, *Fairfax*'s Army reſolved to try their Fortunes on the City of *Exeter*, where his Majeſty had a ſtrong Gariſon; for though they had a great mind to relieve *Plimouth*, which at the ſame time was Beſieged by the Royal Party, yet finding their Army much weakned and tired, it was not thought fit to advance thither, and leave ſuch a Force as there was in *Exeter* behind them; Therefore on *Monday*, *Octob.* 20. *Fairfax* marched to *Silverton*, thence to *Newton Siers*, and on the 23*d* came to a Rendezvous at the Beacon, within three miles of *Exeter*, and made his Head-Quarters that Night at *Crediton*, where he received Intelligence that the Lord *Goring* with a conſiderable Party of Horſe was gone out of *Exeter* towards *Okehampton*, and ſoon after to *Taveſtock*.

On the 28*th* of *October*, it was concluded at a Council of War, to make ſeveral Gariſons, firſt on the Eaſt-ſide of *Exeter*, as at *Biſhops-Clyffe*, *Stoak* and *Poultimore*, which being once finiſh'd, a few Men might keep them, and cut off Proviſions from the City that way, and then the whole Army might be at liberty to go on the other ſide of the Town to do the like there afterwards. In purſuance whereof Gariſons were form'd accordingly on the Eaſt-ſide of the River *Ex*, and the General with the Train of Artillery repair to St. *Mary Autree*, making that his Head-Quarters, where he continued till the ſecond of *December*, but in the mean time by reaſon of the Seaſon, and want of Accommodations, abundance of his Army, eſpecially the Foot, were ſick, and many died, ſeldom leſs than ſeven, eight or nine in a day in the Town of *Autree*, and amongſt the reſt Col. *Pickering* died, and ſome other Officers. The Royal Party had notice of this Conſumption of *Fairfax*'s Army, and his Highneſs the Prince of *Wales* was not wanting in his induſtry to raiſe Forces in *Cornwall* and *Devon*; and to draw together the Forces from their Quarters before *Plimouth*, and ſome Foot from *Dartmouth* and *Barnſtaple*, which together with the Recruits brought in by Sir *Richard Greenvile*, made a Formidable Body, conſiſting in all of Eight or nine thouſand Horſe and Foot, and were Quarter'd about *Taveſtock*, *Okehampton*, &c. intending to oblige *Fairfax* to riſe from the Eaſt-ſide of *Exeter*. Who having Intelligence of their Preparations and Advance, and having now pretty well ſetled his Gariſons on that ſide, Ordered ſeveral Regiments of his Foot to remove beyond the River to *Crediton*, a place better ſituated for Air, who ſhortly after made an Attempt on *Pouldrum*-

Houſe,

Ann. 1645. House, where the King had a Garison; but after hard Service, they were forc'd to quit that design, and Retreat.

On *Decemb.* 26. *Fairfax* had further Advertisement from *Plimouth*, and confirm'd by several of his Spies, that the King's Forces were advancing towards him, most of their Horse being come to *Okehampton*; which quickned him into thoughts of marching to meet them, and drew up his Horse and some Foot at *Cadbury*-Hill, and in the mean time made Provisions for a continued march; having in his thoughts the Garison of *Dartmouth*, by Carriages on Horse-back, those parts admitting no other. On *Jan.* the 8*th* all things being in readiness, the Horse and Foot set forwards to *Crediton*; but to amuse the King's Forces, as if the Army had bent towards *Okehampton*, Sir *Hardress Waller* with two Regiments march'd to *Bow*, and had a Skirmish with some Horse and Dragoons there Quarter'd, and took some Prisoners, whilst at the same time a Brigade of Horse and Foot Commanded by *Cromwell*, advanced that Night to *Crediton*, and the next day (tho' very cold and much Snow on the Ground) came to *Bovey-Tracy*, where part of the Lord *Wentworth*'s Brigade then lay, whom they surprizing thus unexpectedly, took between three and four hundred Horses, but most of the Men through the darkness of the Night got away, except one Major, and some few other Officers, and about fifty Common Troopers, who were taken Prisoners, and seven Colours left behind. On the 10*th* *Fairfax* advanced to *Ashburton*, and the next day to *Totness*, and whilst he prepared to attack *Dartmouth*, sent out strong Parties of Horse after the King's Forces towards *Tavestock*, whom they apprehending to be the Van of the whole Army, which they supposed to be following, hasten'd their march, quitted the Siege before *Plimouth*, leaving their Forts undemolish'd, with Seven Pieces of Ordnance, and Four Barrels of Powder, which at that season of the year, and in those ways, they could not carry off, and so pass'd the River *Tamar* into *Cornwall*.

Royalists Quarters at *Bovey-Tracy* Beaten up, *Jan.* 9. 1645.

Dartmouth having return'd a resolute Negative Answer to the Summons sent in, it was resolved to storm the Town; and whilst Provisions were making for that purpose, Capt. *Batten* a Commander at Sea for the Parliament, came before the Haven with a Squadron of Ships (being sent for by *Fairfax*) to assist by Sea, and keep any Ships from going out of the Harbour, whilst it was Storm'd by Land, who also Landed 200 of his Seamen, who had their Post allotted them on Shore, and did great Service in the Storm, which began on *Sunday*, *Jan.* 18. about Eleven a Clock at Night. The Assailants word given was, *God with us*, and the Signal of the Soldiers, their Shirts out before and behind. They went on with so much fury and Resolution, that after the Town had discharged once, before they could get ready a second, they were got under their Cannon, and quickly possess'd them, and turn'd them on the Town, for they had no great Pieces of their own there, the way and weather not admitting any to be drawn to that place, where there were near an Hundred Pieces mounted against them. The Particulars of this Action were related by General *Fairfax*, as followeth in a Letter to the House of Peers.

Dartmouth Stormed and taken by *Fairfax*, *Jan.* 18*th* 1645.

My Lords,

21 *Caroli.*

Fairfax's Let. to the Houſe of Peers concerning the taking of *Dartmouth*, *Jan.* 20. 1645.

My Lords,

AFter my coming to *Totneſs*, the Enemy riſing in great diſorder from their Siege at *Plimouth*, leaving their Guns and ſome Ammunition behind them, I conſidered with thoſe about me, of attempting upon *Dartmouth*; and it being concluded affirmatively, I cauſed Two Regiments of Foot to march to *Diſſam*, and Two to *Stoke-Fleming*, being on the Weſt-ſide of *Dart*-River. I having Summoned the place before, reſolved upon *Sunday* Night to attempt it by Storm, which was agreed to be done in three Places; the firſt Poſt was on the Weſt-Gate by Colonel *Hammond*; on the North-end of the Town by Lieut. Col. *Pride*; and on *Tunſtall* Church and Works by *Forteſcue*: The time reſolved upon was in the Evening; our Men fell on with great Reſolution, to whom Col. *Lambert's* Regiment was a Reſerve, and to Alarm the Enemy elſe where, Col. *Hammond* entred the Weſt-Gate, where Four Guns were planted, and Two upon the Mill-Pool, upon his Flank, (the Enemy firing his Great Guns but once): His Men that had the Forelorn Hope did very Gallantly (as indeed they did all) and went freely on, and beat off the Enemy, and poſſeſſed one Fort after another, *viz. Mount Flagon*, the Weſt-Gate, *Paradice* Fort, and beat off the Main Guard, where were taken Four Lieut. Colonels; and ſo poſſeſſed the Town, from the Weſt-Gate to Little *Dartmouth*. In the interim Lieut. Col. *Pride* attempted the North-part of the Town, called *Harneſs*, where beating off the Enemy, he entred, and took about Eighty Priſoners in it, and by it poſſeſſed all the North-part of the Town, unto the Draw-Bridge, which divided the North-part from the reſt of the Town, where Col. *Hammond's* Men, and his met. Col. *Forteſcue* with his Men attempted *Tunſtal*-Church, which was very well Manned with above a Hundred Men, and having in it Ten Guns; his Men after ſome diſpute, with good Reſolution entred the place and poſſeſſed it. So that by this time the Enemy was beaten out of all, except the Great Fort on the Eaſt-ſide of the River called *Kingſworth*-Fort, and the Caſtle, with the Fort that lay over the Caſtle, at the Mouth of the Harbour, called *Gallants-Bower*; to which laſt, the Governour and the Earl of *Newport*, and as many as eſcaped us, fled. After they were forced from their Strengths out of the Town; the Governour coming back from the Caſtle, to ſee in what poſture the Town was, had a remarkable ſhot, as he was in the Boat; a Muſquet ſhot was made at the Boat, which pierced the Boat, and both the Thighs of one that ſat next to him, and about three Inches into his own Thigh; whereupon he Retreated to the Caſtle. Our Dragoons with two Companies of our Firelocks, and ſome Seamen were only to Alarm *Kingſworth* Fort, wherein was Sir *Henry Cary* with his Regiment, having in it Twelve Guns, and Twelve Barrels of Powder, and convenient proportion of Ammunition. This was a very ſtrong Fort, with about four good Bulwarks, ſtrong enough to make a troubleſome Reſiſtance: But the Enemy came willingly to Terms; and to ſave time, I willingly condeſcended to let Sir *Henry Cary* march away with the reſt, leaving the Arms, Ordnance, Ammunition, with all Proviſions in the Fort, to me, and all engaging themſelves never to take up Arms more againſt the Parliament; which was accordingly performed. Next Morning, being thus Maſter of all, but the Caſtle, and *Gallants-Bower*, I Summoned that; the Governour was willing to liſten unto me, but I held him to thoſe Terms, upon which after ſome diſpute he yielded, which was to deliver himſelf and all Officers and Soldiers, upon Quarter. He ſent me out Col. *Seymour*, and Mr. *Denham* for Hoſtages, with whom came out the Earl of *Newport*, and all was this day performed accordingly. In this Fort and Caſtle were Eleven Guns, with proportion of Ammunition and Proviſions. We have taken in the Harbour Two Men of War, one belonging to the Governour of *Barnſtaple*, with Twelve Guns, Burthen 200 Tuns; the other belonging to *Newcaſtle*, formerly Capt. *Johnſon's*, of Ten Guns.

In the Town 103 Pieces of Ordnance, and about 600 Priſoners, and 100 Horſe, with good proportion of Arms and Ammunition, one exact

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particular whereof I am not able to give your Lordſhips at preſent.

There being many of the Town-Soldiers in *Plimouth*, and ſome Officers, and underſtanding that that Town hath Two thouſand five hundred in Gariſon, beſides Townſmen, I have ſent thither for Five hundred Foot for this place, who quickly will increaſe to more; and to this I deſire your Approbation; for having found more Work to do, I hold it not fit to weaken my Army, eſpecially conſidering the Recruits deſigned by you, I doubt will be too long before they come.

I have given your Lordſhips a brief account of this Service, which I deſire may be accounted a ſweet mercy of God, in a fitting ſeaſon, and only aſcribed to him, who (truly) did direct and act it, and made all the preparation to it, both in the ordering our hearts, and giving health to the Army, who labour'd two Months ago extremely of Sickneſs, but is now in good diſpoſition generally as to health. I can ſay, I find it to be in the hearts of all here, in all integrity to ſerve you; and that it is ſo, is ſtill the mercy of God; for ſurely the ſucceſs of your Affairs only depends upon the ordering of a Gracious Providence, which is no leſs viſible in your Councils, (which we Congratulate) than amongſt us; that being the common root and ſpring of all, and which can and will carry you through the greateſt difficulties, and us in ſerving you, untill God hath finiſhed his own Work: Wherein to profeſs the Obligation and readineſs of my ſelf, and the Army, by the ſame good hand of God is all the undertaking of

Darthmouth, Jan. 20th 1645.

Your Lordſhip's moſt Humble Servant,

THO. FAIRFAX.

Priſoners taken at Dartmouth.

Sir *Hugh Pollard* Governour, the Earl of *Newport*, Col. *Seymour*, Four Lieutenant Colonels, Two Majors, Fifteen Captains, Fourteen Lieutenants, Nine Enſigns, and one Cornet, beſides many Country Gentlemen, Miniſters, and Inferior Officers.

All the Common Soldiers being betwixt 800 and 1000, were ſet at liberty to repair to their Dwellings. Ordnance about 120 mounted; and two Men of War in the Harbour. And ſoon after a *French* Veſſel coming from the Queen ſtruck in there, preſuming that Town ſtill in the King's hands, and ſo was made Prize; they had on Board a Packet of Letters from her Majeſty, which as ſoon as they perceived their miſtake they flung into the Sea, but a Boat being ſent out to ſeek it, the ſame was retriev'd, and ſeveral Letters of Importance thereby Intercepted.

On *Monday* the 19*th*, Sir *Henry Cary* who Commanded one of the Forts, being after the loſs of the Town, neceſſitated to Parley, and having obtained as Honourable Conditions as in ſuch a Caſe could be expected, marched out with all his Officers and Soldiers, leaving the Ordnance, Ammunition, *&c.* behind them therein.

Thurſday the 20*th*, the Guns were cleared. The General went Aboard Capt. *Batten*'s Ship, where he was Nobly Entertain'd. All the *Corniſh* Men that were Priſoners, were ſet at liberty, and had Two Shillings a Man to carry them home, the better to oblige and win the Affections of that County. Alſo Commiſſioners were appointed to diſpoſe of the Prize-goods taken in the Town, towards the Reparation of ſuch in the Town as had adhered to the Parliament, and were damnified by the Storm, who had the greateſt part of thoſe Goods diſtributed amongſt them.

And

21 *Caroli.*

And now *Fairfax* having gain'd theſe Advantages by this Diverſion, draws back his Army again towards *Exeter*, and having iſſued out Warrants to four Hundreds, for the Country to make their Appearance at *Totneſs* on *Jan.* 24. They came in thither in all to the Number of about 3000, out of whom a Regiment was raiſed under Col. *Fowel*; which being done, and **Pouldram* Caſtle Surrendred to Col. *Hammond* who was ſent to attack the ſame, wherein he found five Barrels of Powder with proportionate Match and Bullet, and four Pieces of Ordnance; On the 27*th* a Summons with an offer of Conditions was ſent in to the City of *Exeter*, whereunto the next day an Anſwer was returned, that they could not in Honour Surrender upon the Terms offered, whilſt they were in no worſe Condition, and had ſuch probable hopes of Relief from the Prince: To which a Reply was ſent; and indeed little beſides theſe Papers paſt at that time between them, ſave only that the Parliamentarians now Blockt up the City on the Weſt-ſide alſo, by ſetling Guards and Quarters at *Affington*, *Barley*-Houſe, and *Reymouth*-Houſe within a mile of the City, and a Gariſon kept at *Pouldram*, and ſome Foot under the Command of Col. *Shapcoate*, lay before the Fort at *Exmouth*, ſo that *Exeter* was compleatly ſtraitned and Blockaded on all ſides, and the Command in chief of all theſe Forces conferred on Sir *Hardreſs Waller*, whilſt General *Fairfax* with the reſt of his Army was once more forc'd to march off, to meet the Lord *Hopton*, who (in the abſence of the Lord *Goring*, who was gone into *France* to ſollicite Aid, or on ſome other Service for his Majeſty) being made Commander in Chief under the Prince, and having been Reinforced with New Levies in *Cornwall*, had uſed Extraordinary Expedition, marching in one day from *Stratton* to *Torrington* (which is eighteen long miles) with near four thouſand Horſe, and three thouſand Foot, expecting there 1000 Horſe and Foot more to joyn them from *Barnſtaple*, and having with them great ſtore of Cattel, Sheep, Salt, and other Proviſions for the Relief of *Exeter*.

**Pouldram* Caſtle Surrendred, *Jan.* 25.

To oppoſe them, *Fairfax* on the 10*th* of *February* march'd from *Chidley* to *Crediton*, where waiting till Supply of Money, and ſome other Forces came up to him, he advanced on the 14*th* to *Chimley*, and from thence to *Torrington*, where a ſmart Engagement happened. The Account of which as it was given to the Houſe of Commons in a Letter from General *Fairfax* ran thus.

To the Honourable William Lenthal, *Eſq*; *Speaker of the Honourable Houſe of Commons.*

Mr. *Speaker*,

PLimouth being ſet free, and *Dartmouth* taken, I ſent Col. *Hammond* with part of the Foot to poſſeſs part of the Houſes near *Exeter*, for the Blocking of it up on the Weſt-ſide of the River, as formerly I had done on the Eaſt, and lay with the reſt of the Army, ſo as to Countenance both that work, and the raiſing of ſome Forces in the *Southams* to lye about *Totneſs* for the ſecuring of that Country, and to keep the Enemy from coming on that ſide of *Devonſhire* again, when the Army ſhould remove to the other; theſe two things with the continual foul Weather at that time, and the abſence of Col. *Cook*, with ſo many of the Horſe, occaſioned my ſtay thereabouts above a Fortnight, in which time the Houſes being competently Fortified, and the Forces raiſing in the *Southams* in good forwardneſs, I drew the Army up towards *Crediton*, with

Fairfax's Letter concerning the Fight at *Torrington*.

Ann. 1645. with purpoſe to advance into the North of *Devonſhire* alſo, either by the taking of *Barnſtaple*, or by Blocking of it up, and raiſing a force in that well affected corner to keep it in, ſo as having all clear, or made faſt behind me, I might the better follow the remaining Field-force of the Enemy into *Cornwall*. And to continue the Blocking up of *Exeter* on the Weſt-ſide, I left Sir *Hardreſs Waller* with Three Regiments of Foot, and one of Horſe of this Army, and advanced with Five Regiments of Horſe, and Seven Regiments of Foot, and Five Troops of Dragoons, the reſt of the Horſe and Dragoons being abſent with Col. *Cook* in *Dorſetſhire*, but then ſent for to come up, when I was reſolved upon my Advance this way. The Enemy at the ſame time Advanced out of *Cornwall* with all the Foot to *Torrington*, about which their Horſe did lye before, and began to Fortifie the Town; their intentions therein, as we conceived, and do ſince further find, were by advantage of this place and their Gariſon of *Barnſtaple* ſo near it, to make this part of *Devonſhire* more ſurely theirs, and more difficult for us to come into, and lying ſo much the nearer to *Exeter* (againſt which they ſuppoſed this Army wholly engaged) to take their beſt advantages from hence; and from *Chimley*, which they meant alſo to have poſſeſſed, to relieve *Exeter* on the North-ſide, or diſturb us in the Siege. And it is probable they might have a further purpoſe in their poſture here, to ſecure the Landing of *Iriſh* or *Welſh* Supplies ſo much the forwarder towards the Eaſt.

On *Saturday* laſt, I advanced from *Crediton* to *Chimley*, where by many Priſoners I was informed, that the Lord *Hopton* had hereabouts Four thouſand Horſe, and Three thouſand Foot; We believed them to be about Two thouſand Foot or upwards, and Three thouſand Horſe; the extream foulneſs of Weather that day and the next, occaſioned me not to advance from about *Chimley* for the next Night, ſave only one Foot-Quarter, and an Horſe-Guard advanced to *Rings-Aſh*, three miles towards the Enemy, to ſecure a Rendezvous ſo much the nearer to them; for the day following I underſtood by the beſt Intelligence that the Enemy was reſolved to make good their Station, and ſet their reſt upon it to Fight us there if we would come up to them; and truly Men in their condition could not hope (all things conſidered) to have more for it, their Horſe for number ſuperior to what I brought up with me; their Foot, as I find ſince, not much inferior; and if they could with all their Force make good this Town, and put us to lye in the Field, there being no Villages near it that could ſhelter the Army, the wet Weather continuing, which was then moſt likely, would have forced us to draw back and make our Fire-Arms little uſeful, either for aſſault or defence. And beſides, we were like for matter of Proviſions to be forced to draw off firſt, they having both by their poſture, with the plentiful Country of *Cornwall* behind them, and a River at their backs, ſecuring alſo a good part of *Devonſhire* unto them, and by their Strength of Horſe, much advantage for longer ſubſiſtence than we. And we by the Barrenneſs of the place where we muſt have layn before them, eſpecially for Horſe-meat, their Gariſon of *Barnſtaple* lying partly behind us, their Horſe more numerous than ours, which might with ſtronger parties cut off our Supplies, had little poſſibility to ſubſiſt long before them. Theſe Conſiderations we had in our Eye to diſcourage us from going on, as I believe they had to encourage them to ſtand; yet on the other ſide, finding that by reaſon of the barrenneſs and long exhauſting of our Quarters behind us we could neither keep our Horſe ſo cloſe together as to lye ſafe ſo near the Enemy, nor indeed find ſubſiſtence for the Army, either where we were, or in any other Quarters more backward, where we could lye ſo as to ſecure the Siege of *Exeter* from Relief; and upon all Conſiderations conceiving the Affairs of the Kingdom did require us, and God by all did call us to make a preſent Attempt upon the Enemy: We reſolved to go on, to try what God would do for us, and truſt him for Weather, Subſiſtence, and all things.

Accordingly on *Monday* Morning I drew out the Army to an early Rendezvous at *Rings-Aſh*, within ſix miles of the Enemy; the Weather

ſtill

ſtill continued very wet, and ſo by all ſigns was like to hold till we were advanced from the Rendezvous. But ſuddenly when we were upon the march, beyond all expectation it began to be fair and dry, and ſo continued; whereas we had ſcarce ſeen one fair blaſt for many days before. The Enemy (as we underſtood by the way) had all their Horſe drawn together about *Torrington*, and with their Foot prepared to defend the Town, which they had Fortified with good Barricadoes with Earth caſt up at every Avenue, and a competent Line patch'd up round about it, their Horſe ſtanding by to Flank the ſame, and ſome within to ſcowre the Streets. Our Forelorn-Hope had order to advance to *Stephenſon*-Park, about a mile from the Town, and there to ſtay for the drawing up of the Army, there being no other place fit for that purpoſe nearer to the Town on that ſide we came on. But when we came near we underſtood that the Enemy had with Two hundred Dragoons poſſeſt the Houſe in the Park, and were Fortifying it, being of it ſelf very ſtrong, but upon our nearer approach, the Dragoons quitted the Houſe, and our Forlorn-Hope falling on them, took many Priſoners; and purſuing them near the Town were engaged ſo far as that they could not well draw back to the Park, which occaſioned the ſending up of ſtronger Parties to make them good where they were, or beating them off; and at laſt, there being ſome fear that the Enemy would draw about them and hem them in, Col. *Hammond* was ſent up with Three Regiments of Foot, being his own, Col. *Harlow*'s, and mine, and ſome more Horſe, to lye for Reſerves unto them; by which time the Night was grown on, ſo that it was not thought fit, unleſs the Enemy appear'd to be drawing away, to attempt any thing further upon the Town till Morning, in regard none of us knew the Ground, nor the Advantages or diſadvantages of it; but about Nine of the Clock, there being ſome apprehenſion of the Enemies drawing away, by reaſon of their drawing back ſome Out-Guards, ſmall Parties were ſent out towards the Town's end to make a certain diſcovery, which going very near their Works, before the Enemy made any firing, but being at laſt entertained with a great Volley of Shot, and thereupon ſuppoſed to be Engaged, ſtronger Parties were ſent up to relieve them, and after them the Three Regiments went up for reſerves, till at laſt they fell on in earneſt; after very hot Firings our Men coming up to the Barricadoes and Line, the Diſpute continued long at puſh of Pike, and with Butt-ends of Muskets, till at laſt it pleaſed God to make the Enemy fly from their Works, and give our Men the Entrance. After which our Men were twice repulſed by their Horſe, and almoſt all driven out again, but Col. *Hammond* with ſome other Officers and a few Soldiers, made a ſtop at the Barricadoes, and ſo making good their re-entrance, rallied their Men and went on again; Major *Stephen*'s with their Forlorn Hope of Horſe coming ſeaſonably up to ſecond them, the Enemies Foot ran ſeveral ways, moſt of them leaving their Arms, but moſt of their Officers with the aſſiſtance of Horſe, made good their own Retreat out of the Town towards the Bridge, and taking the advantage of ſtraight Paſſages, to make often ſtands againſt our Men, gave time for many of their Foot to get over the Bridge; their Horſe without the Town, after ſome attempts at other Avenues, to have broken in again upon us, being repulſed, at laſt went all away over another Bridge, and at ſeveral other Paſſes of the River, and all fell Weſt-ward; the Ground where their Horſe had ſtood, and the Bridge they went over lying ſo beyond the Town, as our Horſe could not come at them, but through the Town, which by reaſon of ſtraight Paſſages through ſeveral Barricadoes was very tedious, by means whereof, and by reaſon of continued ſtraight Lanes the Enemy had to Retreat by after they were over the River, as alſo by the advantage of the Night, and by their perfect knowledge of the Country, and our ignorance therein, our Horſe could do little Execution upon the purſuit; but Parties being ſent out ſeveral ways to follow them as thoſe diſadvantages would admit, did the beſt they could, brought back many Priſoners and Horſes; we took many Priſoners in the Town, who being put into the Church where the Enemies Magazine lay,

Caroli 21.

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Ann. 1645. lay, of above Fourſcore Barrels of Powder, as is reported, beſides other Ammunition, either purpoſely by ſome deſperate Priſoner, or caſually by ſome Soldier, the Powder was fired, whereby the Church was quite blown up, the Priſoners and moſt of our Men that Guarded them were killed, and overwhelmed in the Ruins, the Houſes of the Town ſhaken and ſhattered, and our Men all the Town over much endangered by the Stones, Timber, and Lead, which with the Blaſt were carried up very high and ſcattered in great abundance all the Town over, and beyond; yet it pleaſed God that few of our Men were ſlain or hurt thereby, ſave thoſe in the Church; only our loſs of Men otherwiſe, was ſmall in this Service, though many Wounded, it being a hotter Service than any Storm this Army hath before been upon, wherein God gave our Men great Reſolution; and Col. *Hammond* eſpecially, and other Officers Engaged with him, behaved themſelves with much Reſolution, Courage and Diligence recovering the Ground after their Men were quite repulſed. Of Priſoners taken in this Service about Two hundred were Blown up, Two hundred have taken up Arms with us, and about Two hundred more Common Soldiers remain Priſoners, beſides many Officers, Gentlemen and Servants; not many ſlain, but their Foot ſo diſperſed, as that of about Three thouſand, which the moſt credible Perſons affirm they had there, and we find by a Liſt taken among the Lord *Hopton*'s Papers, themſelves did account the more, we cannot hear of above Four hundred that they carried off with them into *Cornwall*, whither their Horſe alſo are gone; being much broken and diſperſed as well as their Foot.

By the Conſiderations and Circumſtances in this Buſineſs which I have here touched upon, you will perceive whoſe hand it was that led us to it, and gave ſuch ſucceſs in it; and truly there were many more evident appearances of the good hand of God therein than I can ſet forth; let all the Honour be to him alone for ever, being deſirous, as God ſhall ſee it good, and further enable me, to improve the advantage of this ſucceſs to the uttermoſt.

The next day having ſent ſome Regiments of Horſe and Foot to advance unto Quarters up towards *Holſworthy*, to ſet the Enemy more home unto *Cornwall*, and with more terror upon them, I ſent alſo one Regiment of Foot with ſome Horſe, back towards *Barnſtaple* to poſſeſs the Earl of *Bath*'s Houſe at *North-Taviſtock*, about a mile from *Barnſtaple*, on this ſide the River, whereby the Garriſon will be eaſily kept in on this ſide, and I ſhall try what will be done upon it other ways, whilſt the Army takes a little reſt here abouts, which the unſeaſonable Marches, miſerable Quarters, and hard Duty both Horſe and Foot for many days, have been put unto, do neceſſarily require. But I conceive that as ſoon as the Army can be fitted for the purpoſe, it would be beſt to follow the Enemy home, and throughly into *Cornwall*; the breaking of that Body of Horſe that's left there being the likelieſt means to prevent or diſcourage the Landing of any Foreign Forces in theſe Parts; or the raiſing of any more out of *Cornwall*; in order to which I muſt earneſtly recommend to your care two things eſpecially, the one to provide by the diſpoſal of your Forces in the Midland Parts, that by Excurſions from *Oxford* hitherward, I may not be diverted from proſecution of the Work in *Cornwall* to ſend again that way, nor the Sieges of *Exeter* and *Barnſtaple* diſturbed, when I am Engaged further Weſt: The other, that Money may be ſpeeded, if any ways poſſible, but for a Month or ſix Weeks to enable the Horſe as well as Foot to pay Quarters in *Cornwall*, whereby the oppoſitions that People might make would in all likelihood be taken off, and their Affections or good opinions gained, to make them helpful to us againſt their preſent oppreſſors. There came unto me this day a young Man from *Truro*, who certifieth me, that Sir *Walter Dudley* came very lately from *France*, to let thoſe about the Prince know, that if there were an abſolute neceſſity, they could bring over their Men with a fair Wind from *France* to be here by the middle of the next Month; expreſſing that they had near 8000 Foot, and 2000 Horſe in readineſs, and Three Months Pay provided for them, beſides Ten thouſand Pound in Bullion daily expected,

pected, a Mint being ready to Coyn the ſame, but yet intimated a conveniency in the giving a little more time for their coming over; whereupon Sir *John Culpepper* was to go in all haſte to *France* upon *Friday* laſt, as is ſuppoſed on purpoſe either to haſten all, or a good part of thoſe Forces over. I think it will be very good that as much Shipping as may be obtained be haſtned into thoſe Parts. I ſhall upon this Information, and the good Succeſs God hath been pleaſed to give us, ſo diſpoſe of the Army, as may moſt effectually conduce to a ſpeedy and through Settlement of theſe Weſtern Parts of the Kingdom; therefore I deſire you again to have a ſpecial care, that the Forces about *Oxford* be not permitted to Range into theſe Parts, when the Army is like to be Engaged ſo far Weſt, leſt it occaſion the diviſion of our Forces, and hinder the Accompliſhment of that we deſire to effect. I remain

21 *Caroli.*

Great Torrington,
Febr. 19. 1645.

Your Moſt Humble Servant,

THO. FAIRFAX.

Here were taken Lieut. Col. *Wood*, Eight Captains, Commiſſary *Boney*, Six Lieutenants, One Cornet, Three Enſigns, One Chirurgeon, Four Serjeants, Two and fifty Troopers, One hundred twenty ſeven Gentlemen, and about Two hundred Common Soldiers; in all, Four hundred thirty and three. Near Three thouſand Arms broken and whole; moſt of the Ammunition Blown up in the Church, Eight Colours brought in, whereof one was the Lord *Hopton*'s own, with this Motto,

I will ſtrive to ſerve my Sovereign King.

There were ſlain Major *Threave*, Captain *Fry*, and ſome other Officers, Two hundred Soldiers or thereabouts, and as many more Blown up in the Church, ſeveral Perſons of Quality Wounded, between Four and five hundred Pound in Money taken in my Lord *Hopton*'s Quarters, and much other Plunder.

This unexpected Blow whereby moſt of their Foot were ſcatter'd, prov'd of very ill conſequence to his Majeſty's Affairs in thoſe Parts; for *Fairfax* by ſending out forthwith Parties of Horſe after them kept them in continual Alarms, and Glean'd up many Priſoners, ſo that they choſe to Retreat into *Cornwall*, where the Princes Regiment of about 800 Horſe, and ſome other *Corniſh* Horſe having Joyn'd them, they made up a Body of about 5000 Horſe, and a Thouſand Foot, who kept Guards on the other ſide the River *Tamar*.

A Council of War, and their Reſolution to march into *Cornwall*.

On *Saturday*, *Febr.* 21. at a Council of War held in *Fairfax*'s Army, it was unanimouſly reſolved to march into *Cornwall*, and on the 23*d* they began to march with the Van from *Torrington* to *Holſworthy*, and Col. *Butler* with a Party of Horſe, and 400 Dragoons was Commanded before to force his Paſſage over the River *Tamar*, who accordingly performed the ſame, and about *Stratton* beat up the Quarters of Major General *Webb*, took 400 Horſes, and Eighty Priſoners, and poſſeſs'd himſelf of that Town.

On the 25*th* *Fairfax* march'd to *Lanceſton*, and after a ſhort Diſpute (Col. *Baſſet* being there with 500 Foot of Col. *Tremayne*'s, and ſome Horſe) obtained the ſame for his Quarters that Night, and continued there two or three days. In the mean time a Treaty was concluded with the Governour of Mount *Edgcomb* (a place of great

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great Strength and Conſideration) whereby it was agreed to be Surrendred. The firſt of *March Fairfax* Quarter'd his Army all Night in the Field about a Village call'd St. *Bliſland*, and the ſame Night the Lord *Hopton* quitted *Bodmin*, Retreating further Weſt; towards which *Fairfax* advanced the next Morning, and ſent out a Party of Horſe and Foot to ſecure *Warebridge*, to hinder the Lord *Hopton's* Forces of that Paſſage in caſe they intended to break through Eaſtward; as likewiſe other Guards were Commanded to *Padſtow*, leſt they ſhould there get over the River, and to encourage the Townſmen, who ſeeing now the Parliamentarians Maſters of the Field, began to ſtand upon their Guard, and refuſe the Royaliſts Entrance into their Town.

Prince *Charles* goes to *Scilly*.

About this time his Highneſs the Prince of *Wales*, ſeeing it impoſſible at that Juncture to make Head with any ſucceſs againſt *Fairfax's* numerous Forces, that his Perſon might not fall into their hands, expoſed himſelf rather to the mercy of the Sea, Embarking with ſeveral Lords and Gentlemen his Attendants, and ſafely arrived in *Scilly*. In the mean time the Lord *Hopton* kept his Head-Quarters at *Truro*, but his main Guard of Horſe at Caſtle *O Deniſſe*, and the reſt of his Troops Quarter'd about St. *Columb*, *Grampound*, and *Tregni*, they wanted not thoughts nor courage to force their paſſage with their Swords in their hands through the Enemy; but the ſame to their calmer Judgments appeared impracticable without expoſing themſelves to certain deſtruction, wherein 'tis like they conſidered the loſs that would accrew to his Majeſty more than their own Lives; for *Fairfax* had diſpoſed of Guards of Horſe and Foot into all the Paſſes from the North to the South-Sea, and the Country were enjoined to Barracade up the Lanes, and keep Men upon the Fords.

A Ship taken coming from *Waterford* in *Ireland*, where ſeveral Letters were found.

Beſides, at this time an Accident happen'd of ill conſequence to the King's Party; a Ship came into *Padſtow* from *Ireland*, not doubting but to have been welcomely receiv'd; whereas on the contrary the Towns people endeavour'd to ſeize her, and with the help of ſome Parliament Dragoons Boarded her, and put moſt of the Men to the Sword. But the Captain, one *Allen* of *Waterford* had his Life ſpared to the intent to make uſe of his Confeſſion. The Pacquet Letters they brought were thrown over board, but found floating on the Water, and were carried to *Fairfax*, amongſt which were Letters from the Earl of *Glamorgan*, mentioning that ſome Thouſands of Men were ready to be Tranſported from *Ireland*, and 4000 more ſhould be ready by the firſt of *May*. Alſo Letters from the Lord *Digby*, giving a Narrative of his Proceedings againſt the Earl of *Glamorgan*, &c. (Which Letters ſee at large herein afterwards, in the Chapter of Affairs in *Ireland* during this year 1645, whereunto they properly belong.) Now theſe Letters being ſhew'd and read unto the People of the Country who were Summon'd in to appear on the Downs by *Bodmin*, the ſame made great Impreſſions on them, ſo that above a Thouſand of them expreſs'd much willingneſs to aſſiſt in the Blocking up of all Paſſages and ways to prevent the Royal Cavalry from breaking through. To whom *Fairfax* ſent this following Summons directed to the Lord *Hopton*, their Commander in chief.

SIR,

21 *Caroli.*

Fairfax's Summons to the Lord Hopton.

SIR,

THrough the Goodneſs of God to his People, and his juſt hand againſt their Enemies, your Forces being reduced to ſuch Condition, as (to my ſenſe) the good hand of God continuing with us, wherein alone we truſt, they are not like either to have ſubſiſtence or ſhelter long where they are, or to eſcape thence, nor if they could, have they whither to go to have better. I have thought good, for prevention of more Blood-ſhed, or of further hardſhip or extremity to any, but ſuch whoſe hearts God ſhall harden to their own deſtruction, to ſend you this Summons, for your ſelf and them to lay down Arms, and withal a tender of ſuch Conditions (upon a preſent Surrender and Engagement, never to bear Arms againſt the Parliament) as may be better than any thing they can rationally expect by further ſtanding out.

Propoſitions ſent to Lord *Hopton.*

Firſt therefore to the Soldiery in General, *Engliſh* and Foreigners, I ſhall grant liberty either to go beyond Sea, or to their Homes in *England*, as they pleaſe; and to ſuch *Engliſh* as ſhall chuſe to live at Home, my Protection for the liberty of their Perſons, and for the Immunity of their Eſtates from all Plunder or violence of Soldiers, and all to go their ways with what they have, ſaving Horſes and Arms. But for Officers in Commiſſion and Gentlemen of Quality, I ſhall allow them to go with Horſes for themſelves, and one Servant or more, ſuitable to their quality; and with Arms befitting Gentlemen in a condition of Peace; and ſuch Officers as would go beyond Sea for other Service, to take with them their Arms, and full number of Horſes anſwerable to their Offices.

To all Troopers and inferior ſort of Horſe-Officers bringing in and delivering up of their Horſes and Arms, Twenty Shillings a Man in lieu of their Horſes to carry them home: To *Engliſh* Gentlemen of conſiderable Eſtates, my Paſs, and recommendation to the Parliament for their moderate Compoſition.

Laſtly, for your ſelf (beſides what is before implied to you in common with others, you may be aſſured of ſuch Mediation to the Parliament on your behalf,) both from my ſelf and others, as for one whom (for Perſonal worth, and many Vertues, but eſpecially for your care of, and moderation towards the Country) we honour and eſteem above any other of your party, whoſe error (ſuppoſing you more ſwayed with Principles of Honour and Conſcience than others) we moſt pity, and whoſe happineſs (ſo far as conſiſtent with the publick welfare) we ſhould delight in more than in your leaſt ſuffering.

Theſe things (not from any need or other ends than Humane and Chriſtian) having offered, I leave to your Conſideration and theirs whom they concern; deſiring your and their ſpeedy reſolution, which I wiſh may be ſuch as ſhall be moſt for the Honour of God, the peace and welfare of this poor Kingdom, and for your and their good, ſo far as may ſtand therewith.

And having herein diſcharged (as I conceive) the duty of an honeſt Man, a Soldier and a Chriſtian; If God ſhall ſee it good to let your hearts be hardened againſt your own peace, I ſhall (though with ſome regret for that ill that ſhall enſue to any, yet with cheerfulneſs and rejoycing at the righteous judgment of God) purſue my Charge and Truſt for the Publick in another way, not doubting of the ſame Preſence and Bleſſing which God hath hitherto vouchſafed in the ſame Cauſe to the weak Endeavours of

March 5. 1645.

Your Humble Servant,

THO. FAIRFAX.

Ann. 1645. This Letter was ſent on the 6*th* of *March*, and on the 7*th* *Fairfax* advanced four miles from *Bodwin* towards St. *Collombe*, and that Night ſent out Col. *Rich* with a Thouſand Horſe and Dragoons to beat up their Quarters, which he did near St. *Collombe*, forcing the Out-Guards up to the Main-Guard, which conſiſting of about 600, moſt of them his Highneſs's the Prince of *Wales*'s Life-Guard, and brave Gentlemen, then Commanded by Major *Pert* a proper ſtout Gallant Man, who drew out to meet them, and gave a moſt briſk home-Charge, the Major himſelf Charging quite through the firſt Diviſion, but being ſhot was taken Priſoner, (and afterwards died of his Wounds) upon which his Troops retired in diſorder, and were purſued two or three miles by Quarter-Maſter General *Fincher*, who led the Van, wherein many were Slain and Wounded, near an hundred taken Priſoners, and about 300 Horſes taken, their Riders deſerting them to facilitate their Eſcape. And the next Day *Fairfax* marched further to other Quarters at St. *Stephen's*, St. *Blaſe*, &c. within ſix or ſeven miles of *Truro*. And that Day my Lord *Hopton* return'd the following Anſwer to the Letter before recited.

SIR,

The Lord *Hopton's* Anſwer. I Received yours bearing Date the Fifth of this Month, wherein I muſt acknowledge much kindneſs from you, and a very Chriſtian Conſideration of ſparing Blood. But one thing there is, I am confident you have too much Honour to expect from me, which is, that to avoid any danger, or to enjoy any worldly advantage, I will renounce my Maſter's Houſe, to whom I am both a ſworn Subject, and a ſworn Servant; that I muſt profeſs I am reſolved to undergo all Fortunes with him, and if there ſhall be cauſe, to ſuffer any thing, rather than in the leaſt point to taint my Honour in that particular; and I hope there is not a Man of any Conſideration in this Army under my Command, that is *not ſo reſolved*; yet in all honeſt and honourable ways, to procure the Peace of this Kingdom, and the ſparing of Chriſtian Blood, I take God to witneſs I am and ſtill have been moſt deſirous. And I hear from good hands, that our Gracious Sovereign is at preſent ſo far advanced in a Treaty with the Parliament, as that he hath promiſed to paſs four of their Bills propoſed, whereof the intruſting of the Militia for Seven years, in hands agreed between them, is one. I deſire you to deal freely with me in that particular, for if that be ſo, it will ſpare the labour of further Treaty, being for my part ready to obey whatſoever his Majeſty ſhall agree to. God hath indeed of late humbled us with many ill Succeſſes, which I acknowledge as a very certain evidence of his juſt Judgment againſt us for our Perſonal crimes; yet give me leave to ſay, your preſent proſperity cannot be ſo certain an evidence of his being altogether pleaſed with you. It is true, we are reduced to a lower condition than we have been in, yet have we a Gallant Body of Horſe, that being preſerved to a general accord, may be for good uſe againſt our Common Enemies; and being otherwiſe preſt, I may ſay it without vanity, want not a reſolution, at leaſt, to ſell our ſelves at a dear rate againſt any odds. Your Propoſitions, though they be not wholly conſented to, yet if a general accord, much more deſirable, be not in a likely forwardneſs to prevent them, I ſhall be willing that Eight Commanders of ours, with Three Country Gentlemen, give a meeting as ſoon as you pleaſe, to any equal number of yours, at any indifferent place to conſult of this great Buſineſs, and to conclude of ſome Propoſitions that may be Reaſonable and Honourable for both parts; wherein I hope God will ſo bleſs our clear intentions, as may produce a probable inducement to a General Peace, according to the unfained deſire of your Servant,

March 8. 1645. *Ralph Hopton.*

The

Caroli 21.

The next Day *Fairfax* ſent this Reply:

Fairfax's Reply, *March* the 9th.

My Lord,

I Should moſt truly and freely inform your Lordſhip the beſt I could, in any thing that might lead you to a right underſtanding of things, in order to the Peace of the Kingdom; or the real good of your ſelf, and thoſe with you, ſo far as may ſtand with my truſt and duty to the Publick, to what I conceive your more certain knowledge of that your deſire to be informed in concerning the King's Offers to the Parliament; and amongſt them one concerning the Militia. Something to the purpoſe, as you ſay you have heard; but the juſt certainty what his laſt Overtures are, or how far they are advanced to a general accord, I cannot at preſent certifie. I do not hear they have proceeded ſo far as to a Treaty; and I believe that as the Parliament may be diſcouraged from the way of Treaty by former experiences of the fruitleſneſs thereof, and the ill uſe the ſame hath been deſigned or driven unto, *viz.* only to gain advantages for War, without real intentions for Peace; ſo the late Overtures that way are the leſs like to be ſucceſsful, by reaſon of the clear and certain diſcoveries the Parliament have had, That his Majeſty at the ſame time was and is labouring by Agents in all Parts to draw in Foreign Forces, and eſpecially that the Earl of *Glamorgan* by Commiſſion from his Majeſty, had concluded a Peace with the *Iriſh* Rebells, on Terms extreamly diſhonourable and prejudicial, upon the only Condition of ſending over Force under the Command of that Lord, to invade *England*; whereof I preſume you cannot but have heard. And though his Majeſty did in a Letter to the Parliament, diſavow any ſuch Agreement, and pretended he had given Order to the Lord *Digby* for the Attainting and Impeaching the Earl of *Glamorgan* of High Treaſon for what he had done therein; yet by late diſcoveries to the Parliament, and eſpecially by Letters intercepted the other day at *Padſtow*, from the Lord *Digby*, the Earl of *Glamorgan*, and others, to Secretary *Nicholas*, your ſelf, Sir *Edward Hide*, the Lord *Culpeper*, and others, it is moſt clear and evident, that the Arreſting of the Earl of *Glamorgan* was only for a preſent colour to ſalve reputation with the People, and continue their deluſion till deſigns were ripe for execution; for the ſame Peace is fully concluded with the Rebels, the King to have the Aid conditioned upon the ſame Agreement, and the Earl of *Glamorgan* at liberty again, and to Command that Force in Chief.

Now for the Overture of a Meeting to Treat further about the Propoſitions I ſent, though I know nothing material that I can add or alter, except in Circumſtances, yet I ſhall not refuſe or decline ſuch a Meeting, or ought elſe that probably tends to the ſaving of Blood; or further miſery to any; Provided the Meeting be ſpeedily, and number of Perſons not to exceed Four or Five. But, my Lord, when you conſider what I have before related concerning Foreign Supplies, which I have reaſon to think you know and believe; you ſee what cauſe I have to be jealous of advantages fought by delays, and not to intermit any time, or omit any opportunity to proſecute the Service I have in hand. And that there may be no colour of your expecting that forbearance on my part, which you offer on yours, I do the more haſten back my reſolution to you. In purſuance whereof, I do not deſpiſe, nor ſhall inſult upon your preſent condition. I queſtion not, nor yet ſhall I hope, be much moved with the reſolution of your Men. I preſume not on former Succeſſes, nor preſent advantage in fleſhly power, but deſire to truſt in God alone, whoſe favour and bleſſing to this Army above others, I do not account in what is paſt, or expect in future, to be for any precedence in merit or goodneſs of ours, whereby we ſhould be more pleaſing to him than others, but from his own free Grace and Goodneſs towards his People, whoſe welfare with the common good of the Kingdom, we ſeek and deſire with all faithfulneſs and integrity to purſue. And ſo committing the iſſue of all to his good pleaſure, I remain your humble Servant,

March 9. 1645. *Tho. Fairfax.*

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Moreover, *Fairfax* commanded ſome of the Regiment to advance this day to *Tregny*, and the next day the Army advanced two ſeveral ways, part following to *Tregny* (the Head-Quarter that Night) another part of it to *Probus*, and thoſe Parts. Whereupon the Lord *Hopton* ſeeing his Men were ſo ſtartled at the advance of the Enemy, ſent that Night about Twelve of the Clock, for a Treaty, naming the Place, *Treſillian* Bridge. The Trumpet was return'd about Three in the Morning, that the General did hearken to a Treaty, and would appoint Commiſſioners to meet at the Place propoſed by the Lord *Hopton*. Hereupon Commiſſioners on both ſides were nominated to meet at Nine the next Day, (being *Tueſday* Morning *March* the 10*th*) but the General being unwilling to loſe time, gave Orders for a March; accordingly the Army that *Tueſday* advanced by break of Day, and marched to a Rendezvous within two miles of *Truro*, by Ten of the Clock, where the Lord *Hopton*'s Trumpeter brought a ſafe Conduct for the Commiſſioners, and they having received the like, a Ceſſation was agreed to, but withal a Meſſage was ſent to the Lord *Hopton* from the General, that he intended to Quarter his Army at *Truro* and St. *Allen* that Night, which he thought fit to give him notice of, that none of his Forces might be left in the Town. This much diſreliſhed the Lord *Hopton*, and his Commiſſioners that he ſent, had much reluctancy againſt it. And ſo at laſt *Fairfax* upon Conference, was content to let them have St. *Ellen* for their Quarter, reſerving ſtill *Truro* (the Prime Quarter) to himſelf.

A Treaty begun, *March* 10.

Wedneſday the 11*th*, the Commiſſioners on both ſides met again, but could not make any great progreſs into the Treaty; the Ceſſation was continued for a day longer; about one hundred and twenty Muſquetiers came in this Day with their Arms and Colours flying, being of Colonel *Trevanian*'s Regiment; alſo divers Colonels, Knights and Gentlemen of Quality ſent to *Fairfax*, making known their deſires, to be received into the Protection of the Parliament; which ſo diſheartned Col. *Trevanian* then with his Regiment at *Perin*, that late that Evening he alſo ſent, deſiring he might be included in the Treaty with the Lord *Hopton*, and have the ſame Conditions that other Officers were to have. Theſe things operated with the Governour of St. *Mawes* Caſtle, a principal Fort that had a great command of the Haven at *Falmouth*, that he likewiſe ſent to be received into the like Terms. And although the Governour of *Pendennis* ſent to command him to come into the Caſtle of *Pendennis*, he refuſed and perſiſted in his former deſire; whereupon the General ſent him Conditions, with a Summons; which were accepted, and he agreed to Surrender.

By Twelve of the Clock this Night, all the material Points of the Treaty were concluded, matters of Circumſtances only remained, which yet were ſo neceſſary to be concluded, in order to the perfecting of the Treaty, that the next Day was allowed (and the Ceſſation continued) for the finiſhing therein. When the Treaty was fully ended, and Hoſtages appointed, the ſame day St. *Mawes* Caſtle was Surrendred, and Thirteen Pieces of Ordnance in it, (whereof Two Great Braſs-pieces of about Four thouſand Weight a piece) and Foot were ſent to poſſeſs it.

Treaty Concluded.

The Treaty being thus ended, thoſe that ſeemed moſt diſcontented were the Common Troopers that were to be Diſmounted, who therefore to mend their Conditions, had changed away their beſt Horſes, for advantage before the Disbanding. *Satur-*

Saturday was appointed to be the day of Disbanding, which yet of very neceſſity was put off till the next day; and now all things being agreed, the Commiſſioners of both ſides ſupt this Night with the General. 1 *Cavil.*

The next Day the *French* Regiment under the Command of *Monſieur Lapland*, which was to be the firſt Disbanded, was brought to the place appointed. Their Horſes were very poor, they having before by private Contracts, put off the beſt of them. Theſe were about Three hundred, Diſmounted, but they having made their Markets before, moſt of their Horſes were turned back upon their hands, as not worth the Twenty Shillings an Horſe, which they were to receive according to the Agreement. In the ſpace of five Days more the work was finiſhed, *viz.* on *Monday* Two Brigades of Horſe. On *Tueſday* the *17th*, the Two Brigades of the Lord *Cleveland*'s and Major General *Web*'s. *Wedneſday* the *18th*, part of the Lord *Wentworth*'s, Col. *Bovile*'s Brigade, Lord *Hopton*'s Life-Guard, and Sir *Richard Greenvile*'s Life-Guard. *Thurſday* Two Brigades more, of which the Lord *Goring*'s was one, and the Prince's Life-Guard. *Friday* the *20th*, the Two laſt Troops of all the *Corniſh* Horſe were Disbanded. The number of Brigades in all that were Disbanded, were Nine, *viz.* the *French* Brigade, conſiſting of Three Regiments. The Lord *Wentworth*'s Brigade, conſiſting of Four Regiments. Sir *James Smith*'s Brigade, conſiſting of Three Regiments. The Lord *Cleveland*'s Brigade, conſiſting of Four Regiments. Major General *Webb*'s of Three Regiments. The Lord *Hopton*'s Brigade, Commanded by Col. *Bovile*. The Lord *Goring*'s Brigade, of Five Regiments. The Prince's Life-Guard, conſiſting of Nine Troops, being Seven hundred Men, well Armed. And Sir *Richard Greenvile*'s Reformadoes.

But of this whole Action, ſee the Account given by *Fairfax* himſelf.

To the Honourable William Lenthall *Eſq; Speaker of the Honourable Houſe of Commons.*

SIR

Fairfax's Letter to the Speaker.

WHilſt I lay at *Bodmin*, for the neceſſary Refreſhment of the Army, and to block up the Paſſages from *Bodmin* to the North and South Sea; I ſent a Summons with Propoſitions to Sr. *Ralph Hopton*, and the Army under his Command (a true Copy whereof I have here incloſed) being encouraged thereunto by ſome of the Enemies Officers and Souldiers, who came in to me, and informed me of their Inclinableneſs to Conditions, hoping thereby either to bring them to ſuch Terms as ſhould be to your Advantage, or would diſtract and weaken them; and withall underſtanding by the intercepted Letters I ſent you, that an *Iriſh* Infantry was ready to be ſhipt for *England*; I thought fit to try all means which in Probability might break their Body of Cavalry upon the place. When I had diſpatched theſe Propoſitions to the Enemy, I advanced upon Monday with all the Army from *Bodmin* towards *Truro*, being then the Enemy's Head-Quarters; and to *Tregny*, where I quartered that Night. Sr. *Ralph Hopton* ſent a Trumpeter to me with a Letter, deſiring to have Commiſſioners appointed on both ſides to meet at *Treſillian* Bridge the next day, with Power to treat and conclude; which I aſſented to: The Treaty accordingly began, the Commiſſioners meeting about four a Clock in the Afternoon; and I, in the mean time, advancing the Quarters of the Army to *Truro* and *Saint Allen*. After ſome time ſpent between the Commiſſioners,

Ann. 1645. miſſioners, this Agreement was made, a Copy whereof I have here alſo incloſed; and in Execution thereof, this day we began to disband the *French* Brigade under Colonel *Lapland*; to morrow we proceed with Three other Brigades, they having Nine in all; and ſhall endeavour to ſhorten this work as much as may be. Truly, *SIR*, this muſt needs be acknowledged for an Admirable Mercy from the ſame gracious hand of Providence that has hitherto gone along with you, that ſo conſiderable a Force as this ſhould be ſo baffled; firſt at *Torrington*, and afterwards ſhould put themſelves as it were into a Net, whereby they were neceſſitated to take Terms to the utter ruine of ſo great a Body of Cavalry; which according to all our Information, and the Confeſſion of our Enemies, was not leſs at the time of the Treaty than Four or Five thouſand Horſe. The Articles of Agreement will ſpeak the Mercy, and needs no Coment; yet, I hope, I may make this obſervation upon them: That thereby not only ſo great a Body of Cavalry is broken, but ſo many, both Officers and Soldiers, diſobliged from taking Arms againſt you, and this at ſuch a Seaſon when a Foreign Aid ſo ready as the Earl of *Glamorgan*'s Letters ſent up formerly (and now ſent you) ſpeak at large; the timely freeing of us from other Services that remain, with Diſcouragement put upon the Enemies Garriſons in theſe Parts, which we hope will cauſe them the more ſpeedily to come in, we truſt will be good Conſequences of this Work: Its the Deſire of us all, the Praiſe of all may be returned to God to whom it is only due. The Reputation of this hath already produced a Surrender of St. *Mawes* Caſtle, wherein we found about Thirteen Guns, and good Proportion of Ammunition; which Place gives you a better Intereſt in *Falmouth* Harbour than the Enemy hath: for by the Advantage hereof you may bring in Shipping without hazard, which they cannot. It hath alſo occaſioned the coming in of between Three hundred and Four hundred Foot of the Enemies with their Arms to me; and given the Countries ſuch heart againſt them, that in *Peryn* (a Town formerly not very well affected) and in St. *Ive* they ſtand upon their Guards againſt the Enemy: For further particulars concerning this Buſineſs, I refer you to Maſter *Peters*, who (ſince he came into this County where he was Born) hath very much furthered the Service in the bringing of the Country in ſo freely to the Protection of the Parliament. I remain

Truro. *Your Moſt Humble Servant,*

THO. FAIRFAX.

Truro, *March* 14. 1645.

The Articles on which the Lord *Hopton*'s Forces were disbanded, *March* 14*th*.

Articles of Agreement concluded betwixt Commiſſary General *Ireton*, Colonel *John Lambert*, Colonel *John St. Aubin*, Commiſſary General *Stane*, Captain *Edward Herle*, and *Richard Deane* Comptroller of the Ordinance; Commiſſioners appointed on the Behalf of his Excellency Sr. *Thomas Fairfax* Knight, General of the Parliaments Army, on the one Part; and Colonel *Charles Goring*, Colonel *Marcus Trevor*, Colonel *Thomas Paxton*, Colonel *Jordan Bovill*, Sr. Richard *Prideaux* Knight, and Mayor *Goteer*; Commiſſioners appointed on the Behalf of the Right Honourable the Lord *Hopton*, General of his Majeſties Army, on the other Part; as followeth:

I. It is concluded and agreed, that no Perſon in the Lord *Hopton*'s Army, not formerly by Name Excepted by the Parliament from Pardon, ſhall be excluded from the Priviledge of this Treaty; either as being a Foreigner, or for having formerly ſerved the Parliament; but ſhall equally have the Benefit of what ſhall, upon this Treaty, be granted to

to other Perſons of that Quality that they are of in the Army: And for any Perſons by Name Excepted by the Parliament, they ſhall have preſent Liberty (if they deſire it) to go beyond Seas, with like Recommendation and Equipage as other of like Quality: Or if they deſire to live at home in *England*, to make their Addreſſes to the Parliament, for that, or other purpoſe, they ſhall have leave and reaſonable Time ſo to do, and the General's Protection to live quietly and at Liberty, in any Place they ſhall nominate and chuſe within the Parliament's Quarters, untill they have received the Parliament's Reſolution; and if the Parliament ſhall not think fit to grant ſuch their Deſires, they ſhall then have Leave and Paſſes to go beyond Sea, as before; or to any of the King's Armies or Garriſons, as they ſhall think fit.

II. That the Army and Forces under the Command of the Lord *Hopton* ſhall, within Six days after the date hereof, be wholly disbanded and diſcharged, by the Lord *Hopton*, and the General Officers, Colonels and other Officers under his Command; according to the ſeveral charges in manner hereafter expreſſed.

III. That all Common Troopers, Corporals of Horſe, Farriers and Sadlers, that are mounted, being of, or belonging to the Forces under the Command of the Right Honourable the Lord *Hopton*, ſhall bring in and deliver up their Horſes with their Bridles and Saddles, and all their Arms unto his Excellency Sr. *Thomas Fairfax*, or unto whom he ſhall appoint to receive them in Manner, Time, and Place, as is hereafter expreſſed: provided that all Corporals, and ſuch Common Troopers as ſhall appear Gentlemen of worth, and ſuch other Troopers as ſhall go beyond Sea, ſhall be allowed to keep and carry away with them their Swords.

IV. That upon Performance hereof they ſhall receive Twenty Shillings a Man or keep their Horſes; and ſhall have their Paſſes to go to their homes in *England*, or beyond Sea, with their Bag and Baggage, which they ſhall have leave to carry with them or diſpoſe of them as they pleaſe; and thoſe to whom Swords are allowed, as before, to paſs with their Swords.

V. That the Commiſſion Officers of Horſe under the Lord *Hopton*, for their ſeveral Troops reſpectively, ſhall cauſe the ſaid Horſes and Arms to be duly delivered in without Changes, Spoiling, or Embezilement among themſelves, according to the effect of the Firſt Article before going.

VI. That this being performed, all the ſaid Commiſſion Officers of Horſe in preſent command, and all Trumpeters bolonging to them, ſhall have liberty to go away, either to their own Homes in *England*, or beyond the Seas, with their Bag and Baggage. And alſo they ſhall have ſuch number of Horſes and Equipage, as is hereafter allowed, according to their ſeveral qualities: That is to ſay,

Firſt, For thoſe that ſhall chuſe to go beyond the Seas, the full number of Horſes and Fire-Arms, if they have ſo many of their own.

To Trumpeters one Horſe apiece, and their Trumpets.
The Quarter-Maſters two Horſes, and one Caſe of Piſtols.
To Cornets three Horſes, and two Caſe of Piſtols.
To Lieutenants Four Horſes, and three Caſe of Piſtols.
To Captains, Majors and Lieutenant Colonels ſix Horſes, and four Caſe of Piſtols.
To Colonels Eight Horſes, and ſix Caſe of Piſtols.
To the Adjutant General ſix Horſes and four Caſe of Piſtols.
To the other Adjutants of Brigades, three Horſes apiece, and one Caſe of Piſtols.

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To the Scout-Maſter General ſix Horſes, and two Caſe of Piſtols.
To the Quarter-Maſter General ſix Horſes, and two Caſe of Piſtols.
To the Marſhal-General four Horſes, and one Caſe of Piſtols.
To the Deputy Quarter-Maſter General two Horſes.
To the Deputy Scout-Maſter one Horſe.
To the Major-General twelve Horſes, and ſix Caſe of Piſtols.
To the Commiſſary-General of Horſe-Proviſions, three Horſes and a Caſe of Piſtols.
To the Commiſſary-General of Victuals three Horſes, and one Caſe of Piſtols.
To the Chirurgeon-General three Horſes.
To Quarter-Maſters of Brigades three Horſes, and one Caſe of Piſtols.
To Chirurgeons of Regiments, two Horſes.
To all theſe, except Chirurgeons their defenſive Arms, and Swords for themſelves and their Servants, and to every Field-Officer one Carabine, and Chirugeons their Swords.

Secondly, Thoſe that ſhall chuſe to abide in *England* with the General Sir *Thomas Fairfax* his Protection, and to live at home, ſhall have their Proportions as followeth.

To Trumpeters one Horſe a piece, and their Trumpets.
To Quarter-maſters one Horſe apiece.
To Cornet's and Lieutenants two Horſes apiece, and one Caſe of Piſtols.
To Majors four Horſes apiece, and one Caſe of Piſtols.
To Lieutenant Colonels five Horſes apiece, and one Caſe of Piſtols.
To Colonels ſix Horſes apiece, and two Caſes of Piſtols.
To the Major General ten Horſes, and three Caſe of Piſtols.
To the Adjutant General ſix Horſes, one Caſe of Piſtols.
To the Adjutant of Brigades one Horſe apiece, and one Caſe of Piſtols.
To the Quarter-Maſter General ſix Horſes, one Caſe of Piſtols.
To the Marſhal-General three Horſes, one Caſe of Piſtols.
To the Deputy Quarter-Maſter General two Horſes.
To the Scout-Maſter General four Horſes, one Caſe of Piſtols.

All theſe to have Swords for themſelves and their Servants.

To the Commiſſary of Horſe-Proviſion, two Horſes and a Caſe of Piſtols.
To the Commiſſary of Victuals, two Horſes, a Caſe of Piſtols.
To the Deputy Scout-Maſter one Horſe.
To the Quarter-Maſter of Brigades, two Horſes.
To the Chirurgeon-General, two Horſes.
To Chirurgeons of Regiments, one Horſe.
To Chaplains, two Horſes.

All theſe, except Chaplains, to have Swords for themſelves and their Servants.

VII. That the precedent Articles concerning the Surrender of Troopers Horſes, and being performed, if any Officer in Command that chuſeth to live at home, ſhall appear to have more Horſes of his own than what he is before allowed by the laſt precedent Article, the Commiſſioners of Sir *Thomas Fairfax* his part, will recommend it to his Excellency's favour, that they may enjoy the benefit of ſuch Horſes of their own, to the ſame number as Officers of like quality that are to go beyond the Seas.

VIII. That of the Reformado Officers that chuſe to live at home in *England*, Reformado Quarter-Maſters ſhall have the ſame Conditions as Corporals in Command; Cornets and Lieutenants ſhall go away with

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one Horſe apiece. Captains, Majors and Lieutenant, Colonels with two Horſes apiece, and Colonels with three Horſes apiece, if they have ſo many of their own, and one Caſe of Piſtols. Thoſe Reformadoes that deſire to go beyond Seas, to have half the proportion of Horſes and Arms allowed in that Caſe to Officers of like quality in preſent Command, if they have them of their own, all of them to go with Swords, Bag and Baggage or diſpoſe thereof at pleaſure.

IX. That all Gentlemen of Quality in Arms, or not in Arms, but living under the protection of the ſaid Army, ſhall have liberty either to go to their own Houſes, or beyond the Seas, with Bag and Baggage, and Equipage, according to their ſeveral qualities, as followeth.

That is to ſay, a Knight with four Horſes, three Servants, one Caſe of Piſtols, and their Swords.

An Eſquire with three Horſes, two Servants, one Caſe of Piſtols, and their Swords.

A Gentleman with two Horſes, one Servant, one Caſe of Piſtols and their Swords.

A Gentleman of loweſt Rank, with one Horſe for himſelf, and a Sword.

Scholars and Clergy-men to have one Horſe at the leaſt, or more, according to their different degrees, at the General's diſcretion.

X. That to all thoſe who according to the effect of the Articles ſhall chuſe to go beyond the Seas, Paſſes ſhall be granted from the General Sir *Thomas Fairfax* accordingly; and to thoſe who being *Engliſh* ſhall chuſe to live at home, Paſſes for that purpoſe, and Protections for the liberty of their Perſons, and alſo for the Freedom of their Eſtates from all Plunder and violence of Soldiers; and that ſuch Gentlemen, or others that have conſiderable Eſtates, may have the General's Letter of Recommendation to the Parliament (if deſired) for their moderate compoſition.

XI. That after the performance of theſe Articles ſo far as to Disbanding and delivering up of what is to be delivered, all Officers and Soldiers that ſhall according to theſe Articles, chuſe to go beyond the Seas, ſhall have ſufficient Quarters aſſigned them by Sir *Tho. Fairfax* near convenient Ports for their Tranſportation: And that they ſhall have Twenty eight Days allowed to ſtay in *England*, from the day of their ſeveral Disbanding, and that the charge of Quartering their Horſes be diſcharged by themſelves after the firſt fourteen Days for the time of their further ſtay. That the General will appoint Men to take care that Shipping ſhall be provided for Tranſporting their Perſons, Arms, Bag and Baggage, they paying the accuſtomed Rates.

XII. That a certain number of Officers of the Lord *Hopton*'s Army, not exceeding forty, upon the Lord *Hopton*'s Commiſſioners requeſt, ſhall be permitted to have Paſſes for themſelves, and their Servants, Horſes and neceſſaries to go to *Oxford*: Provided, that their Servants exceed not the number of two, their Horſes three, to every one reſpectively.

XIII. That the Lord *Hopton* ſhall be allowed for his own uſe, all his Horſes: Provided they exceed not the number of forty; and Arms for himſelf and twelve Men. And that the Lord *Wentworth* ſhall have all his Horſes: Provided they exceed not five and twenty, and Arms for himſelf and eight Men, and Places aſſigned them for conveniency of Quarters.

XIV. That ſuch *Engliſh* Men as ſhall chuſe to abide in *England* at their Homes, and all Foreigners of the ſaid Army ſhall engage themſelves by Promiſe, in ſuch Form as is herewith agreed on; Not to bear Arms any more againſt the Parliament of *England*; nor to Act any thing wilfully prejudicial to the Parliament's Affairs, without firſt rendring themſelves

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XV. That all Horſes, Arms and Furniture of War, belonging to, or in the hands of any Perſon in the ſaid Army, not allowed in the precedent or ſubſequent Articles to be carried away, ſhall be delivered up to ſuch Perſons and ſuch Places near *Truro*, or Sr. *Thomas Fairfax* his Head Quarters, as his Excellency ſhall appoint, within Six Days after the Date hereof without Spoil or Embezilment, at the Care as well of the General Officers of the ſaid Army and all Commanders in their ſeveral Charges, as by the Perſons themſelves to whom ſuch Arms or Furniture of War do belong, or in whoſe Cuſtody they were.

XVI. That whoſoever ſhall after the Concluſion of this Treaty, purpoſely break, ſpoil, or embezle any of the Arms, Horſes, or Furniture agreed and concluded to be delivered up in this Treaty, ſhall forfeit the Benefit due to him by any Article in the Treaty. And if any of the ſaid Army, after the Concluſion of this Treaty, ſhall Plunder or wilfully do any Violence unto any Inhabitants of the Country, he ſhall give Satisfaction unto the Perſons ſo wronged, or loſe the Benefit of the Treaty; and that the Commiſſioners of both Parties, or any Three of them, whereof one or more to be of Sr. *Thomas Fairfax* his Party, and one or more to be of the Lord *Hopton*'s, ſhall have Power to hear and determine all ſuch Caſes accordingly.

XVII. That the ſaid Army and Horſes, under the Command of the Lord *Hopton*, from the time of the Concluſion of this Treaty until the time of their drawing out to be disbanded, as in the enſuing Articles, ſhall be Quartered in ſuch Places Weſtward from *Truro* as Sr. *Thomas Fairfax* ſhall appoint, which ſhall be large enough for their Accommodation; and that the Ceſſation of Arms, and of all Acts of Hoſtility betwixt the Two Armies, ſhall continue unto the Time of the compleat disbanding of the Lord *Hopton*'s Army.

XVIII. That for the Disbanding of the ſaid Forces, and Delivering up of Horſes, Arms, &c. in Performance of the precedent Articles, every Brigade and Regiment under the Lord *Hopton*'s Command ſhall by their Reſpective Commanders be drawn out into ſuch Places of Rendevouz, within Two Miles of *Truro*, or Sr. *Thomas Fairfax* his Head Quarters, and upon ſuch Days as Sir *Thomas Fairfax* ſhall for them jointly or ſeverally appoint, notice of the ſame being given to his Excellency in writing Sixteen Hours before-hand, under the Commiſſioners of the Lord *Hopton*'s Part, or any of them; Two or more of whom ſhall for that End and other Purpoſes, continue at Sr. *Thomas Fairfax* his Head Quarters, until the disbanding be finiſhed; and that the Quarter-Maſter General, or Adjutant of the Lord *Hopton*'s, with one Horſeman from every Brigade, ſhall alſo be there with them, and that none of the ſaid Brigades or Regiments ſhall be drawn out of their Quarters (which ſhall be aſſigned to them as before) otherwiſe than upon, and according to, ſuch notice from Sir *Thomas Fairfax* as before, except to and for their ordinary Guards.

XIX. That to, or before the drawing out of the ſeveral Brigades or Regiments to ſuch Rendezvouz, as before, the Chief Commanders of them reſpectively ſhall deliver, unto whom Sir *Thomas Fairfax* ſhall appoint, a true and perfect Liſt of the Regiments and Troops in the ſeveral Brigades, and of all Officers and Soldiers in their ſeveral Troops, expreſſing

ſing by Name which of them do chuſe to go beyond Sea, and which do go to live at home, as alſo who are Reformadoes, and in what degree of Command they have ſerved: and that, at the ſame Time and Places, the Horſes, Arms and Furniture, by vertue of the Precedent Articles, to be delivered up accordingly; and all the Officers and Soldiers diſbanded, and diſcharged, and there ſhall receive their Paſſes, with Warrants for Quarters by the way for one Night in a place, and be conveyed towards their ſeveral Homes, as far as *Chard*, if they go ſo far, or unto Quarters aſſigned them for their Tranſportation, according to the precedent Articles. *Caroli* 21.

That for a further performance of theſe Articles, two Colonels of each Army ſhall be mutually delivered and kept as Hoſtages.

H. Ireton.	*Edward Herle.*	*Thomas Panton.*
Jo. Lambert.	*Richard Deane.*	*Jordan Bovill.*
Jo. St. Aubin.	*Charles Goring.*	*Richard Prideaux.*
William Stone.	*Marcus Trevor.*	*Jean Goteer.*

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CHAP. IV.

His Majeſty's Marches after the Battel of Naſeby, *the Proceedings of the* Scots *Army in* England, *and other Military Tranſactions to the end of the Year* 1645.

The King's marches from the Battel of *Naſeby* to the end of the Year 1645.

HIS Majeſty after the fatal Battel at *Naſeby*, *June* the 14*th*, Retreated towards *Hereford*, and ſo to *Ragland*, and other parts in *Wales* to Recruit his Army; from whence about the beginning of *Auguſt* he advanced with about 3000 Horſe by the way of *Ludlow*, and ſo to *Litchfield*. *Aug.* the 8*th*, the *Scots* (who by this time were ſet down before *Hereford*, as ſhall be related in convenient place) ſending out a ſtrong Party of Horſe under Lieutenant Genetal *David Leſley*, to attend his Motions. On *Wedneſday*, *Aug.* 13*th*, his Majeſty Quartered about *Tithury* and *Aſhburn*, where Sir *John Gell* Skirmiſht with his Rear, but was beat off, and ſome of his Men taken Priſoners. On the 15*th* the King came to *Welbeck* Houſe, and there was Reinforced with Horſe and Dragoons from *Newark*. It was believed that his Majeſty then deſigned for the *North*, to Joyn with *Montroſs*, who about that time was Maſter of the Field in *Scotland*. To prevent which Major General *Poyntz* was Poſted with above 2000 Horſe about *Doncaſter* and *Rotheram*, with whom Col. *Roſſiter*, and the *Staffordſhire* and *Derbyſhire* Horſe were haſtening to joyn; ſo that his Majeſty finding his Paſſage that way Intercepted (the Paſs at *Ferrybriggs* being ſecured, and *Leſley* ready to joyn with the Enemy) turn'd back Southwards, and from *Newark* fell into the Aſſociated Counties, and having lain one Night at *Belvoir* Caſtle, made his next Head-Quarters at *Stamford* in *Lincolnſhire*, and march'd with ſuch ſpeed that on *Sunday* the Van of his Army (which conſiſted only of Horſe and Dragoons) came to *Huntington*, where at the Bridge Capt. *Bennet* with his Foot-Company oppoſed them, until he himſelf, his Lieutenant, and many of his Men being ſlain, they forc'd their Entrance, and became Maſters of that Town, where the King Quarter'd on *Monday* the 25*th* of *Auguſt*, and gave *Cambridge* ſeveral Alarms, and faced it with a Party of Horſe, but then drew off, and on *Tueſday* lay at *Wooburn*, but his Troops ſpread themſelves in ſeveral Parties through *Bedfordſhire*, and part of *Hartfordſhire*, ſome of them coming as far as *Margret*-Street, not above five miles beyond *St. Albans*, and on *Wedneſday* his Majeſty was in Perſon at *Dunſtable*, but moſt of his Forces Quarter'd about *Biſſter*, and on the 28*th* of *Auguſt* repaired to *Oxford*, where the day before the Lord Keeper *Littleton* departed this Life. In this ſudden and unexpected March, his Majeſty's Horſe got great Booty out of thoſe Countries adhering to the Parliament through which they paſs'd, eſpecially at *Huntington*.

The King falls into the Eaſtern Aſſociation.

His Majeſty takes *Huntington*, Aug. 24.

Lord Keeper *Littleton* died, *Aug.* 27.

His Majeſty taking with him what Forces might be ſpared, on the 31*ſt* of *Auguſt* march'd from *Oxford* to *Cambden*, and the Two Houſes fearing that his deſign was either to raiſe the Siege of *Hereford* or *Briſtol* (whereof the former was at that time Inveſted by General *Leven* and the *Scots*, the latter by *Fairfax*) gave immediate Orders that Major General *Poyntz* and Col. *Roſſiter* ſhould draw what Forces they could together, and attend the King's Motions, holding

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21 *Caroli.*

ing Correſpondence with *Leven* or *Fairfax*, according as they found either of them in danger of being Attacked. But the *Scots* upon the King's approach (and for the reaſons herein after mentioned) raiſed their Siege before *Hereford* of their own accord, and began to march homewards; and ſoon after his Majeſty received the unexpected News of the loſs of *Briſtol*, being Surrendred by Prince *Rupert* on the Eleventh of *September* to Sir *Thomas Fairfax*.

The King after the Retreat of the *Scots* viſited *Hereford*, and continued there and at *Worceſter* and *Ludlow*, till about the 20*th* of that Month, *Poyntz* with conſiderable Forces lying between him and *Oxford*. Sometime before this the Parliaments Forces Beſieging *Beeſton*-Caſtle, not far from *Weſt-cheſter*, on a ſudden Col. *Jones* who Commanded the Horſe, with Adjutant General *Louthian*, who Commanded the Foot, drew off thence a Party of 1300 Horſe and Foot about Eight a Clock in the Evening, and advancing all Night with a Still-march, came the next Morning about Four a Clock before *Cheſter* on the Eaſt-Gate ſide, and divided their Forces into four Squadrons to Storm the Works in ſo many ſeveral places, and got upon the Works in ſome places before the Guards diſcovered them, and ſo with little loſs made themſelves Maſters of the Forreſt-Street, with the Bar, St. *John's* Church, *Barker's* Lane, &c. with the Mayor's Houſe, Sword and Mace, and thereby much affrightned and ſtraitned the City, before which they continued, expecting daily Sir *William Brereton* with more Forces to joyn with them; wherefore to prevent if poſſible the loſs of ſo important a place (and ſo convenient for the Landing of the Forces from *Ireland*, who every minute were expected) his Majeſty with about 5000 Horſe and Foot drain'd out of ſeveral Gariſons, advanced that way, and Major General *Poyntz* follows with all expedition after him; and on *Ronton* Heath within ſome two miles of *Cheſter*, began to Engage with his Majeſty's Forces, who Charged with ſuch Reſolution that they routed the Major, and were in purſuit of him, when at the ſame inſtant Col. *Jones* and Adjutant *Louthian* having drawn out 500 Horſe, and 300 Foot from their Leaguer before *Cheſter*, came up to his Aſſiſtance, Charging the King's Troops on the other ſide, which gave *Poyntz*'s Men an opportunity to Rally, and then there began a moſt furious freſh Encounter, wherein at laſt the King's Forces having to deal with *Poyntz* in the Front, and *Jones* in the Rear, were diſcomfited, five or ſix hundred of them ſlain upon the place, amongſt whom was the Lord *Berty Stuart* Earl of *Litchfield*; many Officers and Perſons of Quality, and above 1000 Common Soldiers taken, his Majeſty himſelf not without difficulty retiring with the Remainder into *Wales*; where having ſtaid ſome days about *Denbighſhire* to refreſh and recruit his Forces, being attended with the Lord *Loughborough*, General *Gerard*, Sir *Marmaduke Langdale*, and other Great Commanders, and an Army of about 3000 Fighting Men, came on the Second of *October* to *Litchfield*, the next day to *Melburn*, and on the 4*th* to *Newark*, where he continued till about the beginning of *November*; his Horſe being Quarter'd at *Belvoir*, *Worton*, *Welbeck*, and *Sleford*. But *Poyntz* and great Numbers of the Parliaments Forces drawing round that way, and having on *Monday*, *Novemb.* 3. taken by Storm *Shelford* Mannor (the Earl of *Cheſterfield*'s Houſe) where the Gariſon conſiſting of about 200, were moſt of them put to the Sword,

The King worſted near *Cheſter*, *Sept.* the 24*th*.

Earl of *Litchfield* ſlain.

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Sword, and the Governour, Son to the Earl of *Chesterfield* dangerously Wounded. His Majesty apprehending to be Besieged in *Newark*, took the opportunity whilst the Parliamentarians were Engaged before that House, to march away in the Night with a Party of Horse to *Daintry*, where the Earl of *Northampton* met him with a greater Body, and conducted him to *Banbury*, and so to *Oxford*, where he arrived *Novemb.* the *6th*, and continued there and thereabouts all the rest of this Year, sending divers Messages to the Two Houses about a Treaty for Peace: All which together with their Answers you will find in the subsequent Chapter of Civil Transactions.

The Proceedings of the *Scot's* Army in *England*, and some Transactions in the *North*, 1645.

After the Surrender of *Newcastle* to the *Scottish* Army in *Octob.* 1644 (whereof we have before given an Account) part of their Forces laid Siege to *Carlisle*, which was resolutely defended by the Governour Sir *Tho. Glenham*; but being reduced to the utmost Extremity, and without any prospect of Relief, he Surrendred it to them *June* the *28th* upon Honourable Conditions, *viz.* to march out with Horse and Arms, Colours Flying, Drums Beating, and a Convoy to *Skipton* or *Newark*; to which latter he march'd with about eighty Horse, and 500 Foot.

Carlisle Surrendred, *June* 28*th*.

Soon after, *viz. July* 21. *Pontfract*-Castle likewise Surrendred to the Parliaments Forces upon Articles much to the same effect.

Pontfract-Castle yielded, *July* 21.

And four days after *Scarborough*-Castle (that had held out a long Siege under Sir *Hugh Cholmley*, and before which Sir *John Meldrum* upon a Salley in *May* had been Wounded, whereof he afterwards died) did also Surrender to Sir *Mat. Bointon* upon Articles, which were much grumbled at by some of the Parliaments Party as too favourable, being as follows.

Articles agreed and concluded upon the Twenty second Day of July 1645, *betwixt the Honourable Sir* Matthew Boynton, *Knight and Baronet, one of the Military Committee for the Northern Association: Col.* Francis Lassels, *Col.* Simon Needham, *Commanders in chief of the Forces for the King and Parliament in* Scarborough: *And the Honourable Sir* Hugh Cholmley, *Knight and Baronet, Governour of the Castle there; concerning the Rendition thereof to the Persons before Named.*

I. THAT the Castle be Surrendred upon *Friday* next, being the Twenty fifth Day of this Instant *July* 1645, by Twelve of the Clock at Noon: That all the Arms, Ordnance, Ammunition, Provision and Goods of what sort soever, now in, and about the Castle (except what is hereafter excepted) shall be delivered to the Commanders in Chief in *Scarborough*, or to whom they shall appoint, to the use of the King and Parliament.

II. That all Prisoners now in the Castle be set at liberty within six Hours after the Sealing of these Articles.

III. That the Governour Sir *Hugh Cholmley*, and those Officers, and Gentlemen Soldiers, if he desire it, shall have a safe Convoy from hence into *Holland*, or be safely conveyed to *Newark*, whether they shall chuse; and if any after their coming to *Newark* shall then resolve to go into *Holland*, giving notice thereof within six Days to the Committe for Military Affairs at *York*, they shall have Passes from thence, to take Shipping at *Hull*, *Scarborough*, and *Bridlington*-Key, and be there Accommodated, paying small Rates, so that they take the first opportunity of Wind and Shipping.

Shipping. And ſuch other who deſire them, ſhall have Paſſes from the ſaid Committee to go to the King's Army, or any of his Gariſons, as they pleaſe; they travelling not above Twenty in a Company, where the Governour or Colonel ſhall be in Perſon, otherwiſe not above Ten in a Company; the time to be permitted in their ſeveral Paſſes, as the diſtance of the Places they go to ſhall require; none of them paſſing through any Gariſon for the King and Parliament, if there be any other way. 21 *Caroli.*

IV. That no Perſon whatſoever going from this Caſtle, be Plundered, Arreſted, or ſtaid upon any ground or pretence whatſoever, and in ſuch caſe upon complaint made to the aforeſaid Committee at *York*, to be ſpeedily redreſſed.

V. That the Lady *Cholmley* ſhall have liberty to live at her own Houſe in *Whitby*, and enjoy ſuch part of her Eſtate, as is allowed by Ordnance of Parliament: That ſhe may have two Men-ſervants, and two Horſes to carry her ſelf and ſuch neceſſary things as ſhall be granted her.

VI. That all inferior Officers, Common Soldiers, and others, who have deſire to live at home, ſhall have Paſſes granted them for that end, and ſhall not be forced to take up Arms againſt their minds: That the Sick and Wounded ſhall be provided for until their recovery, and then have Paſſes to travel to what place they pleaſe, having ſufficient time allowed for their Journey, and two Perſons permitted to take care of them.

VII. That the Governour march on his own Horſe, with Sword, Piſtols, and Defenſive Arms; and all Field-Officers upon their own Horſes, with their Swords and Piſtols, all Captains whatſoever, Lieutenants, Cornets of Horſe in like manner, three Servants of the Governour, and one for every Field-Officer as aforeſaid, and all other Officers and Soldiers whatſoever on Foot, without any other Arms than their Swords, and not to be compelled to march above ten Miles a Day.

VIII. That all Officers and Soldiers may carry upon their Perſons what is really their own; that nothing be carried in Cloth-bags or Snapſacks, but their own wearing Apparel, Writings, Evidences and Bills.

IX. That every Officer, Gentleman and Clergy-man, may have liberty to buy, or lawfully procure a travelling Horſe for himſelf and his Servant, and that all Sick and Lame-men may enjoy the ſame Priviledge.

X. That all Gentlemen of Quality and Clergy-men have liberty to march, Gentlemen with their Swords; that none of them carry above the value of 5 *l.* in Money or Plate about their Perſons, and nothing in their Cloth-bags, but as is expreſſed in the Eighth Article.

XI. That there be no fraud or deceit whatſoever uſed, in ſpoiling or imbezilling any thing before mentioned, or comprized in theſe Articles; and if any of them ſhall be violated, the Party offending ſhall be delivered to the Commander in chief where the fact ſhall be done, to give ſatisfaction for his offence, and his particular act ſhall not be underſtood as a breach of theſe Articles, nor be prejudicial to any other.

There were taken in this Caſtle Thirty ſeven Ordnance, One thouſand Arms, great ſtore of Powder, Match, Bullet, and much Pillage.

Whilſt theſe things were Tranſacting, part of the *Scot*'s Forces were Ordered into *Lancaſhire*, to aſſiſt Sir *William Brereton*, but the Groſs of their Army hover'd to and fro, ſometimes advancing South-

Ann. 1645. Southward, and ſometimes Retreating, as being 'tis likely apprehenſive of the King's breaking Northwards to joyn with *Montroſs*, (who about this time was very victorious in *Scotland*) till ſome time after the Battel at *Naſeby*; and then towards the latter end of *June* they advanced to *Nottingham*, whence on the ſecond of *July* they came to *Melton Mowbray*, the next day to *Tamworth*, and on the fifth to *Bromingham*, and ſo in Parties to ſeveral Places of *Worceſterſhire* and *Herefordſhire*, obſtructing the King from making New Levies in thoſe Parts; and the Houſe of Commons appointed Commiſſioners to Reſide in that Army for the better ſatisfaction of their Proceedings.

The firſt attempt of the *Scots* was upon *Canon-Froom*, a Gariſon of the King's about the Mid-way between *Worceſter* and *Hereford*, where Col. *Barnold* was Governour, to whom the Earl of *Calendar* ſent a Summons, and the Governour returned the following Anſwer.

For the Lord Calendar.

SIR,

YOU demand this Houſe for the King and Parliament, my Commiſſion is by the King alone, and if I may ſee a Command under his Majeſty's Hand, I ſhall with all willingneſs obey it, until then I cannot give that Account as is expected from me; nor will I reſign it upon any other Conditions, ſo long as I ſhall have Life, only reſt

Cannon-Froom, July 22. 1645.

Your Servant,
John Barnold.

Hereupon the *Scots* reſolv'd to Storm the Place, and met with a brave Defence; the Gariſon holding out till ſeventy of them were kill'd, the Governour mortally Wounded, and then the *Scots* became Maſters of it; taking two Captains, and not above thirty other Priſoners. And ſoon after Col. *Harlow* (Son to Sir *Robert Harlow*, a Member of the Houſe of Commons) was appointed to be Governour thereof, and to Gariſon it with the Foot he had raiſed in *Glouceſterſhire*.

At the ſame time one Sir *William Fleming* a *Scotiſh* Gentleman of the King's Party in *Hereford* made the following Addreſſes to the Earl of *Leven*, and the Earl of *Calendar*, who was his Uncle.

For his Excellency the Earl of Leven.

My Lord,

BEing very deſirous to ſpeak with my Uncle the Earl of *Calendar* about ſome private Buſineſs of my own; and conceiving alſo that I may be able to ſay ſomewhat to your Lordſhip worth your conſideration, in relation to the Publick Good; I ſhall eſteem my ſelf obliged, if your Lordſhip pleaſe to favour me with a ſafe Conduct to wait upon you; Reſting, my Lord,

Hereford, July 21.

Your Lordſhip's Humble Servant,
William Fleming.

For

Caroli 21.

For the Right Honourable the Earl of Calendar.

My Lord,

HAving the Honour of ſo near Relation to your Lordſhip, and being perſuaded that over and above ſome private Buſineſs of my own, I can impart ſomewhat to your Lordſhip, which if timouſly conſidered might very much conduce jointly to the Good of my Country, the King's Service, and the Honour of our Nation, I have obtained permiſſion to come over and ſpeak with your Lordſhip, if you ſhall be pleaſed to procure me a ſafe Conduct, wherein you ſhall much oblige, my Lord,

Hereford, July 22. 1645.

Your Lordſhip's Humble Servant,

William Fleming.

The Anſwers returned were thus.

SIR,

I Receiv'd your Letter, wherein you deſire a ſafe Conduct to ſpeak with the Earl of *Calendar* about ſome private Buſineſs of your own, and with my ſelf about the Publick; whereto I return this Anſwer, That upon good Conſiderations I cannot yield to your deſires; nor do I think it fitting that you or any of your Party ſhould repair to this Army to ſpeak with my ſelf or any elſe here, about the Buſineſs of the Publick, wherein if you have any thing to ſay of worthy Conſideration, you may follow the ſtrait and publick way, applying your ſelf to the Parliament, or Committees of both Kingdoms, and not make your Addreſs to me, who am not to ſpeak or hear any thing of Publick Concernment, but what ſhall be Recommended to me by them. I ſhall add nothing, but remain

Leven's Anſwer.

Ludberry, July 23. 1645.

Your Loving Friend,

LEVEN.

Nephew,

I Receiv'd yours, and ſhall be ever willing to witneſs my Intereſt to you, wherein I can be ſteadable in your own particular and private Buſineſs: But for theſe matters of Publick Concernment which you would communicate to me, tho' your Affection and Judgment in theſe Affairs hath not hitherto been ſuch as I would have deſired, yet if now God hath given you better thoughts towards the Good of his Cauſe, and the Peace of theſe Kingdoms, and that you do really apply your ſelf that way, I wiſh your diſcretion had carried you to have made your Addreſs to thoſe to whom matters of that kind do belong, namely to the Parliaments of both Kingdoms, or their Committees, who will be very willing to hear of you what may tend to the Glory of God, Honour of the King, and Peace of the Kingdom: All which I am confident are the deſires of all Honeſt Men, and of none more than of

Ludberry, July 23. 1643.

Your Loving Uncle,

Calendar.

Upon *Leven*'s communicating this Overture and Papers to the Parliament, they Ordered a Letter of Thanks, and a Jewel of 500 *l.* Price to be ſent unto him.

And now the Queſtion was, Whether the *Scots* ſhould ſet down before *Worceſter* or *Hereford*? At the firſt they would more eaſily

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and better be provided of all Neceſſaries, both for the Siege, and Entertainment of the Soldiers; the King had not another Paſs upon the *Severn*, and it brought much Trade to *London*: But on the other ſide, *Hereford* was nearer the King's Quarters, where they could more hinder his Recruits, and break his Forces, and thereby *Worceſter* too would in a manner be Block'd up, the Parliaments Troops having three ſides of it already; therefore it was concluded they ſhould attempt the latter, and accordingly drew before it *July* the 30*th*, and next day ſent in this Summons.

For the Governour of Hereford.

SIR,

The *Scots* Summons ſent to the Governour of *Hereford*, July 31. 1645.

OUR appearance before you in this poſture is for no other End, but for the ſettling of Truth with Peace in *England*, without the leaſt deſire to ſhed the Blood of any Subject in it: Our by-paſt Actions may be a ſufficient evidence thereof. This is to Summon and require you to deliver up the City unto me, to be kept for the uſe of his Majeſty and the Parliament of *England*, whereunto if you ſhall be ſo wiſe and happy as to condeſcend, you may have Conditions Honourable and ſafe; but if otherwiſe worſe Councel ſhall ſo far prevail with you, as to contemn this offer, I am perſwaded all the World and you alſo will acquit us of the manifold Inconveniences which will undoubtedly enſue upon your Refuſal. Conſider ſadly of your own condition, and of thoſe now under your Charge, whoſe Blood will be laid upon your Account, and return Anſwer unto me within three Hours after the Receipt hereof. Given at the Leaguer before *Hereford* this laſt day of *July* about Ten of the Clock in the Forenoon.

LEVEN.

At the ſame time a Letter was ſent from the Commiſſioners reſiding in that Army to the Mayor and Townſmen in theſe words.

A Letter at the ſame time to the Mayor and Townſmen.

Gentlemen,

WE the Commiſſioners appointed by the Parliament of *England*, to reſide in the *Scottiſh* Army, foreſeeing the great Miſeries and Calamities that are like to enſue in this City of *Hereford*, in caſe the Summons ſent by his Excellency General *Leven* ſhall be refuſed by the Governour, have thought good to give you timely advice to put to your utmoſt Endeavours that a poſitive and ſatisfactory Anſwer may be returned thereunto, leſt that by a wilful delay or refuſal you bring utter ruin and deſtruction not only upon your ſelves, but all that are with you, which will not lye in the power of any to prevent. From the Leaguer before *Hereford*, July 31. 1645.

For the Mayor, Aldermen and Commons of the City of Hereford, *Theſe.*

Your Loving Friends,

John Corbet.
William Pureſoy.
Edw. Baynton.
Humph. Salway.

The Governour's Anſwer.

My Lord,

I Am not to give up the King's Gariſons upon any Summons or Letter, neither ſhall it be in the power of the Mayor, or other, to condeſcend to any ſuch Propoſition made unto them; I was ſet in here by the King's Command, and ſhall not quit it but by Special Order from his

his Majeſty or the Prince: And with this Reſolution I ſhall perſiſt. In *Hereford* this laſt of *July* 1645. 21 *Caroli.*

For the Right Honourable the Earl of Leven, *General of the* Scotiſh *Army, Theſe.*

B. Scudamore.

The *Scots* continued here till about the beginning of *September*, and then raiſed their Siege. The occaſions and reaſons whereof they ſoon after publiſh'd as followeth.

A Declaration of his Excellency the Earl of Leven.

A Declaration of his Excellency the Earl of *Leven*, concerning the riſing of the *Scotiſh* Army from the Siege of the City of *Hereford.*

LEST the miſrepreſentation of our Affairs at a diſtance, and the miſconſtructions of ſuch as want affection, might poſſibly beget a miſunderſtanding of the reality and ſincerity of our intentions and deſires, to be uſeful to this Kingdom, and to improve every opportunity and advantage for advancing the Publick Service; I have thought it neceſſary to declare and make known the Grounds and Reaſons of the riſing of this Army from the Siege of *Hereford*, which are as follow.

At our firſt undertaking of this Service we had large Promiſes, for furniſhing and providing our Army with Victuals, and with all Materials neceſſary for a Siege; in both which we have been exceedingly diſappointed. Concerning the firſt, the Honourable Houſes of Parliament did appoint 200 *l. per diem* to be Aſſeſſed upon *Herefordſhire*, and the adjacent Counties, to be paid to the Infantry of the Army, whereof they never received a farthing, but for the moſt part have been left to their own ſhift, and conſtrained to eat Fruit and the Corns that were growing upon the ground, and now for theſe ſix or ſeven Months paſt, have received but one Months Pay, which was advanced by the City of *London*.

As the Army hath been much diſcouraged for want of neceſſary Proviſions for their maintenance, ſo the Service hath been exceedingly retarded by the want of Battering Pieces and Ball, for we had only from *Glouceſter* three Guns of Eighteen Pound Ball, and to each of them fifty Ball, ſo that we were forced to ſend to the Iron Mills to cauſe more Ball to be caſt, which ſpent a great deal of time; we entertained fifty Miners, and when the Mines were brought to perfection, they were drowned by reaſon of eight days continual Rain, the Town being low in Situation: Notwithſtanding all which diſcouragements, after conſultation with the General Officers, Orders were iſſued upon *Monday* the firſt of this Inſtant, to the ſeveral Regiments, to make ready for a Storm againſt the next Morning; but within a few Hours after theſe Orders were iſſued, there came a Meſſenger from *Eveſham* with intelligence that the King's Horſe, being about 3000, had a Rendezvous on *Broadway* and *Cambden-Hill*, and were marching to *Worceſter*: This Intelligence was immediately confirmed by Letters from the Committee of *Eveſham*; and from *Glouceſter*, to the Commiſſioners of Parliament, and from Col. *Freeman*, and Col. *Devereux*, (who ſent a Copy of a Letter which he had from one of his Servants;) ſome of thoſe Informations ſay the Enemy was 7000, and others ſay 6000, and at leaſt 3000. All this could not have made us alter our former Reſolutions, but at the ſame time we received a Letter from Lieutenant General *David Leſley*, ſhewing that he was gone to *Scotland* with the whole Party of Horſe and Dragoons under his Command. In this conjuncture we were not a little perplexed how to carry our ſelves, for when we thought upon all the pains and hazard we had undergone, and the fair probability of our ſpeedy compaſſing the end we propoſed therein, we were very deſirous to have continued in our Reſolutions, and the next day to have adventured a Storm; but the Enemies Forces conſiſting in Horſe and Dragoons, and we having no conſiderable ſtrength of Horſe to interpoſe betwixt us and their Quarters, which

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were ſo near, that they might eaſily have aſſaulted us before our Breaches could be made, and ſo have interrupted us in the midſt of the action; it was generally conceived a very dangerous attempt, for if the Enemies forces ſhould fall upon us before we could enter the Town, it was the apparent ruin and deſtruction of the Army: And albeit we had been aſſured to carry the place before the King's Forces could have come this length, (which by our Intelligence we find was not poſſible for us to do) yet having no conſiderable ſtrength of Horſe to oppoſe the Enemy, all the ways and paſſages had been cloſe ſhut up by their Cavalry, all accommodation of Draughts and Proviſions of Victuals had been totally cut off, beſides many more inconveniences, from which we knew no way how to be relieved. For preventing of all which, and the preſervation of this Army, for the Publick good of both Kingdoms, (which is the meaſure of our deſires, and the end of all our Actions) after a full debate and ſerious deliberation, it was reſolved by the Committee of both Kingdoms, reſiding with this Army, that the Siege ſhould be raiſed, and thereupon Orders were given for drawing off the whole Body of the Army to the open Fields, which was accordingly performed next Morning, without any loſs upon our ſide, and the Enemy ſeveral times ſallying forth, both with Horſe and Boat, were beaten back with the loſs of divers, both Officers and Soldiers. Theſe Grounds and Reaſons impartially weighed, will evidence a conjuncture of neceſſities laid upon us for preferring the ſafety of the Army to the uncertain event of a dangerous aſſault, in the now poſture of Affairs, when a cruel Enemy is Maſter of the Fields in *Scotland*, and for theſe three Weeks paſt, hath robbed, plundered and ſpoiled the ſubſtance of that Kingdom at his pleaſure, deſtroying the Lands and Houſes of the well-affected by fire, and impriſoning their Perſons, for all which he pretendeth no other Quarrel, but the aſſiſtance given by us to this Kingdom; which as it was performed with much readineſs and cheerfulneſs, and no leſs expence in the hardeſt ſeaſon of the year, and when this Kingdom was in its loweſt condition; ſo we are confident to meet with the like kindneſs and cheerful affection in the day of our calamity, when the Lord is pleaſed to hide his Countenance from us for our Sins and provocations againſt him.

LEVEN.

The Letters in the foregoing Declaration mentioned.

Gentlemen,

KNowing the great Importance that the knowledg of the Motion of the King's Army may be unto you, in diſcharge of our Duty; theſe are to ſignifie unto you that yeſterday the King's Army kept their Rendezvous near *Marton* in *Marſh*, where the King was in Perſon: (ſince we hear he is gone to *Oxford.*) This Morning his Army Rendezvouſed upon *Broad-way-Hills*, and are marching over *Bidford-Bridge*, and thence to *Worceſter*, as Priſoners taken by us inform us. Their Commanders in Chief, are General *Gerrard*, and Sir *Marmaduke Langdale*; their number about 3000 Horſe, ſcarce any Dragoons. Their Horſe are much ſpent with their long Marches: How far this may concern *Hereford*, is referred to your Judicious conſideration, by

Eveſham, 31. of *Auguſt*, 1645.

Your Affectionate Friends and Humble Servants,

For the Honourable the Commoners of Parliament of England, *reſiding with the* Scotiſh *Army.*

Edward Rouſe.
William Lingon.
John Dormer.
Samuel Knightley.
Edward Smith.

Gentlemen,

21 Caroli.

Gentlemen,

WE have Intelligence but now, from the Committee of *Worceſter*, which we were by them deſired to communicate to you, That upon *Saturday* laſt the King's Army kept their Rendezvous near *Marton* in *Marſh*, (where the King was in Perſon) that yeſterday Morning the King kept his Rendezvous upon *Broad-way-Hills*, and did march over *Bidford-Bridge*, and thence to *Worceſter*, they were about 3000 Horſe, few Dragoons, or none, their Horſe much ſpent, Commanded by *Langdale*, and *Gerrard*: The King himſelf is gone to *Oxford*. The which having acquainted you with, we reſt aſſured, that you will preſently acquaint the General, with

Gentlemen,

Your Loving Friends and Servants,

Glouceſter, 1. of *Septemb.* 1645.

Tho. Morgan.

William Shepheard.

Henry Jones.

For our much Honoured Friends, the Commoners appointed to aſſiſt the Scotiſh *Army reſiding in* Herefordſhire.

May it pleaſe your Excellency,

NO ſooner had I addreſſed my ſelf to the Obedience of your Commands in ſettling part of our Brigade in a ready poſture to ſerve your Excellency, but I received this Intelligence: That the Enemy fell upon Cap. *Bernard*, and Capt. *Ennes* Quarters at *Cambden*, and took all their Men but two, which brought me the News thereof: they tell me that they march 6000 ſtrong in Horſe, but neither Train of Artillery, nor Infantry attending them. The ſmalleſt number I hear of is 3000, very able Horſes newly recruited out of the Aſſociated Counties, and joyning with *Oxenford*, *Wallingford*, *Woodſtock*, *Radford*, *Farington*, and *Banbury* Horſe. I am uniting all the Foot poſſibly I may, and have drawn all my Horſe to purſue the Rear, and if their Army come towards your Excellency, I will leave that purſuit, and draw all the Force I can to ſerve you. In the mean time I ſhall beg your Excellency to eſteem me

Corſſour the firſt of *Septemb.* 1645.

The Humbleſt of your Excellency's Servants,

EDW. FREEMAN.

Honourable Maſter,

THESE are to certifie you that His Majeſty came yeſternight into *Worceſter*; they ſay he hath 7000 Soldiers; the Speech is amongſt the Soldiers, they are this day to go to *Cannon-Froom*; if you pleaſe to ſend by this Meſſenger where I ſhall meet ſome other Man to Morrow Morning, you ſhall have further Intelligence, and in the interim I will uſe the beſt means I can to further the Buſineſs.

Sept. 1. 1645.

Your Servant,

For Col. *Devereux.*

Sic ſubſ. §§.

May it pleaſe your Excellency,

I Did acquaint you formerly with my Reſolution to go to *Scotland* with four Regiments of Horſe, and a Regiment of Dragoons, and leave the reſt under the Command of General Major *Middleton*; but I am ſince forced to alter that reſolution, for the ſad news of the laſt defeat of our Army near *Kilſith*, and of the Enemies being Maſter of the Field at Home being

Ann. 1645. being noiſed abroad amongſt the common Soldiers, they all openly profeſſed that none of them would ſtay, but all go for relief of their Native Country. Upon which conſideration, and the confidence that Col. General *Poyntz* profeſſed to me, that with his own and the reſt of the Country Forces, he was ſtrong enough to oppoſe the King. I have marched with the whole Party for *Scotland*, expecting your further Orders, which ſhall be carefully obeyed by

Nottingham, Aug. 26. 1645.

Your Excellency's moſt Humble Servant,

DAVID LESLEY.

The *Scots* marched away to *Glouceſter*, and ſo towards *Warwick* Northwards; Lieut. Gen. *David Leſley* being with a ſtrong Party of Horſe and Dragoons gone ſome time before into *Scotland*, of whoſe Encounter with the Marqueſs of *Montroſs* we ſhall have occaſion to ſpeak in the particular Chapter of the Affairs of that Kingdom.

On the 23*d* of *Septemb.* the Commons Ordered that the *Scotiſh* Army in *England* ſhould be deſired to ſit down before *Newark*, and that they ſhould lay no Aſſeſſments or Contributions on any County in this Kingdom, but that the Eaſtern Aſſociation ſhould pay 1400 *l. per* Week to the ſaid *Scot*'s Army for their maintaince. And on the 6*th* of *Octob.* added, That at their ſitting down before that Gariſon they ſhould have 30000 Pounds paid them, with Proviſion of Match, Powder, Bullet and other Neceſſaries; which on the 13*th* they qualified thus, That the *Scots* ſhould have the ſaid 30000 *l.* paid them if they ſhould ſit down before *Newark* by the firſt of *November* next, or elſe not. And alſo on the Report that one Mr. *Caſe* was to be tryed by a Council of War of the *Scotiſh* Army, Voted, That the *Scotiſh* Army in this Kingdom have no power to Try any *Engliſh* Man by Martial Law, and that the ſaid Mr. *Caſe* ought to have ſatisfaction therein.

And on the 14*th* of *Octob.* both Houſes paſs'd the Votes enſuing:

1. That the Houſes will obſerve, and deſire to continue the Aſſiſtance, Amity, and Friendſhip betwixt both Kingdoms according to the Solemn League and Covenant, and their Treaty.
2. That the Receding of the *Scotiſh* Army into thoſe Parts of *Yorkſhire*, where they now are, is not ſo uſeful to this Kingdom, as if they came and ſat down before *Newark*, neither ought they to lay Taxes on the Country where they come, without making ſatisfaction.
3. That *Carliſle*, *Tinby*-Caſtle, *Hartlepool*, and other Gariſons in the *North*, now in the Poſſeſſion of the *Scots*, are to be diſpoſed of according to the directions of the Parliament.
4. That if the *Scots* ſat down before *Newark*, according to the former Vote by the firſt of *November* next, they ſhould have forthwith 30000 *l.* towards their Pay, *&c.*

Alſo Commiſſioners were ſent down to Treat with the *Scots* Commiſſioners, touching the *Scots* rendition of all the Forts, Caſtles and Places Gariſon'd by them in *England*, and upon their return, the reaſons alledg'd to the contrary were held inſufficient, and a Letter Ordered to be ſent to the Parliament of *Scotland* about it.

At

21 Caroli.

At last the *Scots* did according to the Two Houses Directions come back to *Newark* and Joyned with the Forces Besieging that Town, where they continued till the beginning of *May* following, at which time his Majesty thought fit to come privately to their Army, and intrust his Royal Person with them, as shall be related in its proper place.

As for the rest of the Military Occurrences of this year 1645, considerable, and not comprehended under any of the Heads before mentioned, take them in the Series of time when they were Transacted, as follows.

On the first of *August* Major General *Langhorn* of the Parliaments side, drawing out some Forces out of the Garisons of *Pembroke* and *Tinby*, Engaged Major General *Stradling*, and Major General *Egerton*, with about 1000 Foot, and 400 Horse, and four Field-pieces on *Colby-Moor*, three miles from *Haverford-West*; a sharp Encounter there was, both sides fighting briskly for above an Hour, but in Conclusion the Royal Horse gave Ground and deserted their Foot, so that besides 150 kill'd on the place, and in the pursuit, there were near 600 taken Prisoners, amongst whom some Men of Note, as Lieutenant-Col. *Price*, Major *Brande*, Major *Guddinge*, Seven Captains, Four Guns, Five Barrels of Powder, &c. and pursued them to *Haverford* Town, which that Night they deserted, and next Day *Langhorn* entred it, and on the *5th* Stormed and took the Castle, and therein Col. *Manley* the Governour, 120 Arms, &c.

On the *12th* of *Octob.* the same Maj. Gen. *Langhorn* by agreement with the Country was admitted into *Carmarthen* Town and Castle, the Town declaring for the Parliament.

About the same time Col. *Morgan* Governour of *Glouceſter*, with 300 Horse, and 400 Foot, assisted by the *Monmouthshire*-Men, came before the Town of *Chepstow*, and with little difficulty gained possession of it, and then sent the following Summons to the Governour of the Castle, Col. *Fitzmorris* an *Irish* Man.

SIR,

I Am commanded by his Excellency Sir *Thomas Fairfax* to demand this Castle for the use of King and Parliament, which I require of you, and to lay down your Arms, and accept of reasonable Propositions, which will be granted both to you and your Soldiers if you observe this Summons. And further you are to consider of what Nation and Religion you are; if you refuse this Summons you exclude your self from Mercy, and are to expect for your self and Soldiers no better than *Stinchcombe* * Quarter; I expect your sudden Answer, and according thereunto shall rest

* A place where the Parliament complained, that Prince *Rupert* put their Men to the Sword.

Chepstow the *6th* of *Octob.* 1645.

Your Friend,
Tho. Morgan.

The Answer.

SIR,

I Have the same Reason to keep this Castle for my Master the King, as you to demand it for General *Fairfax*, and until my Reason be convinc'd, and my Provision decreas'd, I shall (notwithstanding my Religion and Menaces of Extirpation) continue in my Resolution, and in my Fidelity and Loyalty to my King. As for *Stinchcombe* Quarter I know not

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Chepstow, Oct. 6. *Your Servant*, Robert Fitzmorrice.

What Quarter you give me and my Soldiers, I refer to the Consideration of all Soldiers, when I am constrained to seek for any.

Morgan takes *Chepstow* Castle, *Oct.* 10. But four days after he Surrendred upon Articles, wherein fair Quarter was granted for him and all his Soldiers as to their Lives, but to deliver up the Castle, and all Arms, Ammunition, and other things therein, and to remain Prisoners of War.

And *Monmouth*, *Oct.* 22. From thence *Morgan* advanc'd to *Monmouth*, took the Town, and after three days Siege the Castle, and in it Seven Pieces of Ordnance, 300 Musquets, 100 Pikes, 10 Barrels of Powder, &c.

Whilst these Accidents happen'd in *Wales*, greater disasters befell His Majesty's Interests in the *North*, the Lord *Digby* and Sir *Marmaduke Langdale* with a brave party about 1500 Horse, advancing towards *Scotland* to Joyn with *Montross*, having surprized and taken Prisoners near 1000 of *Poyntz's* Foot at *Sherburn* in *Yorkshire*, were suddenly defeated, and all those Prisoners rescued, and afterwards *Digby* utterly Routed at *Carlisle*-sands, the Circumstances whereof were thus:

Whilst the King was at *Newark*, on *Sunday*, *Octob.* the 12*th*, he marched out from thence to *Welbeck*, where he drew out 1200 Horse, giving the Chief Command to the Lord *Digby*, whom Sir *Marmaduke Langdale* was to accompany, with Orders to march to *Scotland* and joyn *Montross*, who complained much for want of Cavalry, and out of respect to the Lord *Digby* in this his new Military Imploy above 300 Gentlemen offered themselves voluntarily to attend him. But the nature of this Expedition and the true Ground's of *Digby's* undertaking, will better appear by the following Letter of his Lordship, wrote some time after out of *Ireland*, and Intercepted (amongst other Papers) at *Padstow* in *Cornwall*.

To Sir Edward Hide *Chancellor of the* Exchequer.

My Dear Chancellor,

The Lord *Digby's* Letter to Sir *Edw. Hide*, *Jan.* 4. 1645. I Seize with much Joy this occasion that flatters me with the hopes of conveying safe unto you, and by you unto the rest of my Friends there, an accompt of my Adventures; since you heard from me, these inclosed Papers will give you a very particular relation of all matters of fact; I make no question but my unsuccessfulness in that imployment will give occasion to my Enemies to accuse me of a great Disservice to the King, in having been the loss of so many of his Horse, not in the Conduct of them (for I apprehend not malice it self in that point) but in putting them upon so desperate a Design. This point I desire you to clear by letting all, with whom you shall find the Objection, know, That although I was of opinion, that the King himself ought to have ventured, when he was at *Welbeck* the Passage into *Scotland*, in case there had been a certainty of my Lord of *Montross's* being on this side *Forth*, yet when that was once diverted, upon both my Intelligence and Advice, I had afterwards the least share of any Man in the Council, of adventuring any part of the King's Horse upon so hopeless a Design as that of *Scotland* was, while we were doubtful of my Lord of *Montross's* condition; but the Northern Horse being disgusted with *Gerrard*, refusing absolutely

lutely to march back Southward to *Willock*, and ſo rather than they ſhould disband it was thought fit to try whether they would be engaged to adventure to *Montroſs*, who in all his Letters had ſeemed much to reſent the neglect of him, in not ſending him a ſupply of Horſe, aſſuring, That with the help but of 1000, he could carry through his work: The Propoſition being made to Sir *Marmaduke Langdale*, he at firſt point-blank refuſed it, as an undertaking which had by *Gerrard* and all the reſt been declared deſperate, even with all the King's Horſe; but upon ſecond thoughts, he and all the Northern Gentlemen came to the King and told him, That if he would lay his Commands upon me to take the charge and to go along with them, they would adventure it, otherwiſe not: Whereupon, I having declared my Obedience to whatſoever the King would impoſe upon me, His Majeſty commanded me poſitively to that Charge, uſing beſides his pleaſure this argument to me, That if I ſucceeded in it, I ſhould reap much Honour; if not, I could incur no prejudice by failing, in that which was at firſt given for deſperate; and ſo at half an Hours warning having (I proteſt to God) not dream'd of the matter before I marched off from the Rendezvous, with an addition only to the Northern Horſe, of ſuch as would voluntarily chuſe to go with me, which proved to be a matter of three hundred, with which I made that progreſs, which you will find related in the incloſed Papers. But here I am ſure you will wonder how I holding that place I did near the King, and having the Honour of ſo great a part in his Truſt, eſpecially at a time when he had ſcarce either Councellor or Penman about him, ſhould be put upon ſo extravagant and deſperate an Employment: To this I muſt let you know, and ſuch only as you ſhall think fit, That though I had no thought of the preſent action, yet the King and I had long before, (that is ever ſince his Affairs were made ſo deſperate by the loſs of *Briſtol*) concluded it moſt for his Service, that I ſhould abſent my ſelf from him for ſome time, in caſe I could find a fair and honourable pretence for it: I believe the accidents ſince befaln at *Newark* with Prince *Rupert* and *Gerrard*, will have given you a light of ſome reaſons of my remove. The truth, [*Here follow many Lines of Characters.*]

Over and above theſe urging Reaſons, as to the time upon the main of the King's condition and mine, and found the King likely to ſuffer much by my ſtay near him, the wearineſs of the War being ſo univerſal, and the deſpair of my approvement in his condition being ſo great in all about him, I found it almoſt every Man's opinion. [*Here come in more Lines of Character.*]

I thought it then high time to watch an opportunity of freeing his Majeſty from an Attendant ſo pernicious to his Honour and Intereſt; and this my deareſt Friend, is as much as I think neceſſary to ſay to you upon this Subject, hoping that by your dextrous conveyance of it to his Highneſs the Prince of *Wales*, it will have the ſame impreſſion with him which I cannot doubt of with you.

Since my coming out of *England* I ſtaid a Month for a Wind at the *Iſle of Man*, which time I cannot think miſ-ſpent, having there received great Civilities from my Lord of *Derby*, and had the means of a particular acquaintance with his Noble Lady, whom I think one of the wiſeſt and generouſeſt Perſons that I have known of her Sex. From thence I and my Company were very ſecurely conveyed hither in a light Frigate of his Lordſhip's, where I found all things in a great forwardneſs, the Concluſion of which was expected within few Days, and great Forces (as was pretended) already in a readineſs for *England*, under the Command of the Earl of *Glamorgan* the Confederates Great General and Favourite; But his Lordſhip being ſent for by my Lord Lieutenant and my ſelf, to confer about the ways of diſpoſing thoſe Aids moſt to the advantage of his Majeſty's Service, the buſineſſes contained in the incloſed Papers brake forth in ſuch manner as you will find theſe ſet down, and obliged me to that part of the King's Vindication, which was thought could not ſo properly be performed by any as my ſelf, you will find the whole buſineſs ſo fully ſtated in the Tranſactions themſelves which I ſend you,

Touching this buſineſs of *Glamorgan*, ſee afterwards the Chapt. touching the Affairs of *Ireland*.

Ann. 1645. you, and in my Letter to my Brother Secretary, that I ſhall need to ſay no more upon the Subject, only let me ask you, whether according to the Rules of Policy, I have not carried my Body *Swimingly*, who being before ſo irreconcilably hated by the *Puritan* Party, have thus ſeaſonably made my ſelf as odious with the *Papiſts*. Well, my comfort is, that the very few honeſt Men that are in the World will love me the better, and whilſt I do the part of a Man of Integrity and Honour, I am willing to truſt God with the reſt. I muſt not conclude without telling you, that if I had been brought hither by far greater misfortunes, I could not have repined at any thing that had given me the happineſs of ſo particular a knowledge of, and friendſhip with the Marqueſs of *Ormond*, who (if I can judge at all of Men) is not only the wiſeſt young Man, but the moſt ſteady, generous, and virtuous Perſon that I have ever known. I conjure you as you love Virtue, and as you love me, who have ſo little a ſhare of it, build carefully by the diligent application upon thoſe Grounds which I have laid for a Friendſhip between you; for indeed I love him ſo much as I cannot be at reſt till we make up the Triangle equal on all ſides to that perfection wherewith I am

Dublin, Jan. 4. 1645. *Yours*, George Digby.

Pray fail not to let my Father partake of what I write to you, and General *Goring* alſo, as far forth as you ſhall judge neceſſary.

Lord *Digby's* Motions, towards *Doncaſter*.

But to return to my Lord *Digby's* March: From *Welbeck* he ſpeedily advanced to *Doncaſter*, took the Centry and the Parliament Soldiers that were there fled, without making any reſiſtance, whoſe Quarters at *Cuſworth*, and ſeveral other Towns they beat up, and ſo proceeded to *Sherburn*, where they routed Col. *Wren's* Regiment of Horſe, and took almoſt a Thouſand Foot Priſoners. And laid their Arms on an Heap in *Sherburn*-Street, till they could get Carriages to ſend them away; But before they could provide them,

Is routed by Col. *Copley*.

Col. *Copley* with a party of about thirteen hundred came up to them, upon whoſe approach the Lord *Digby* and Sir *Marmaduke* drew out to meet them, and both ſides Charged with extraordinary Gallantry, but after a ſharp and doubtful conteſt *Copley's* Men had the advantage, and put the others to the Rout, recovering not only all their own Foot and Arms, but alſo taking about 300 Priſoners, and many of them Perſons of Note, together with the

Letters taken.

Lord *Digby's* Coach, and therein ſeveral Letters and Papers, which were afterwards Printed by Order of the Two Houſes, and to recite them here would too much ſwell this Volume.

The Principal Contents were, 1. Several Letters from *Goff* (an Agent imployed in *Holland*) to the Lord *Jermin* at *Paris*; and the Lord *Digby*, touching a Negotiation then on Foot, and wherein he was imploy'd for a Match between his Highneſs the Prince of *Wales* and the Prince of *Orange's* Daughter, thereby to Engage the States of *Holland* to eſpouſe the King's Intereſts. 2. Other Letters from the Lord *Jermin* at *Paris* to the Lord *Digby* touching a Treaty for bringing over the Duke of *Lorrain* with an Army to the King's Aſſiſtance. As alſo concerning Aids from the King of *Denmark*, and the Prince of *Curland*. And in one of them Dated *June* the 9*th* 1645, 'tis mentioned that Sir *Kenelm Digby* was arrived at *Rome*, had Audience of the Pope, who had given him the beſt Reception that the firſt Viſit was capable of, that is, the faireſt Promiſes in general that can be wiſh'd; if he may be relyed on, there are good hopes of Money there, &c. 3*ly*, Letters concerning *Ireland*, and a Treaty of *Fitz-*

Williams

21 *Caroli.*

Williams an *Iriſh* Man with the Queen, who propounded to bring over from thence Ten thouſand Men, *&c.*

This is the Subſtance of moſt of thoſe Letters, but there being one which gives great light to the ſtate of the King's Affairs at that Juncture, I ſhall for the Reader's ſatisfaction recite the ſame at large, as follows.

Lord *Digby's* Letter to my Lord *Fermin*, *Aug.* 27. 1645.

My Dear Lord,

IT is a great comfort to us to hear by this Expreſs, that Her Majeſty preſerves Her Health, notwithſtanding that trouble of mind which our Misfortunes muſt needs have given Her; and that inſtead of deſpairing, Her Majeſty and you do rather improve your diligence to procure us Aids; God ſend that your Hopes may ſucceed. For my part I think there is more probability in that of *Denmark* for *Men*, now the Peace is concluded with the *Swedes*, and for *Money* from *Rome*, than any other way. The buſineſs of *Ireland* hath hung long in ſuſpence, altho' the King hath long ſince given my Lord of *Ormond* power to conclude Peace there, upon the very utmoſt Conceſſion that can poſſibly be yielded unto, without cauſing a Revolt, not only of all his Party here, but alſo ſuch an one of his Army, and all his Proteſtant Subjects there, as would make it impoſſible for the *Iriſh* to afford us any Aids, they would have ſo much to do within themſelves againſt thoſe that would not ſubmit to Peace upon ſuch Terms. The truth of it is, the *Iriſh* have proceeded hitherto, as if they had no good intention, having not been contented with the Offers of more than their Agents did profeſs to expect, and have inſiſted upon thoſe Demands, the granting of which they could not but ſee, would be abſolutely deſtructive to His Majeſty, that is, the granting unto them the Proteſtant Churches in ſuch Pariſhes where the Number of the Catholicks was greater, that is in effect all through *Ireland*. And whereas you write that perhaps my Lord of *Ormond* is not the fit Perſon to conclude that buſineſs, but that the management of it ſhould be remitted to the Queen, I am much afraid that the expectation of that in the *Iriſh* hath much retarded the hoped for iſſue of the Treaty, but (God be thanked) we receiv'd Men: Now the certain News is, that the Peace there is concluded, and that an Expreſs from my Lord of *Ormond* is upon his way from *Cheſter* with all the Particulars. The utmoſt extent of my Lord of *Ormond*'s power to grant, was the Suſpenſion of *Poining*'s Act as to the paſſing of ſuch Bills as ſhould be firſt agreed on; the Repeal of the Penal Laws, and the allowing the Papiſts ſome Chappels in private places for the Exerciſe of their Religion; but you may not take notice that he had ſo large a power, for happily he may have obtained a Peace upon a better Bargain. Thus much for that Buſineſs.

His Majeſty approves very well of the Courſe propoſed by you for ſuch Aids as may be obtained from *Denmark*; but above all things let the matter of Money be labour'd in, for without ſome competent Stock of that againſt the next *Spring*, it will be impoſſible for us ever to have a Reſource again. My former Letters will have acquainted you with our Progreſs, ſince our Retreat from *Wales*, and the Reaſons of it, and I make no doubt but you will be ſatisfied, that the King's Buſineſs hath been as well Conducted in that Retreat from *Wales*, as the deſperateneſs of our condition could admit of. And that in fine, we are likely to have gain'd the only thing we could hope for, which was to preſerve His Majeſty's Perſon ſafe, till the ſeaſon of the year ſhould ſecure him in any of his Principal Gariſons from the danger of a Siege. 'Tis true, I could have wiſht that the Rebels had given us ſome leiſure, either in the *North*, or at *Huntington* (where we have done them ſome miſchief, and gained ſome Reputation) and not obliged us to go to *Oxford*, yet this Fortnight, but preſſing us as they have done, and do, it is not to be avoided; but I hope it is not poſſible, that they can any ways endanger *Oxford* before the Winter relieve it.

Ann. 1645. You write to me to tell you freely our condition without flattering you or my ſelf; you will find in my Letters of late, eſpecially by *Porter*, that I have not been Guilty of that fault, nor ſhall I now: But the freedom which I ſhall at this time uſe in ſtating to you the greateſt Myſtery of our Misfortunes, I deſire may be receiv'd by you as the Breathings out of my Soul unto my Deareſt Friend by way of Prediction. It is moſt true, that as deſperate as our condition ſeems, I have no apprehenſion, but that having got thus far in the year, we ſhall be ſafe till the next, from any further great Miſchiefs, and that probably by Helps from *Denmark* and *Ireland*, and Moneys from you, our Quarters being well-manag'd for the preſervation and recruit of our remaining Forces, we may poſſibly have a freſh and hopeful Reſource the next *Spring*. Theſe hopes I am confident the condition of our Buſineſs it ſelf will bear, would the Humours of our own Party bear the patience: But alas, my Lord! we muſt not expect it, there is ſuch an univerſal wearineſs of the War, deſpair of a poſſibility for the King to recover, and ſo much of private Intereſts grown from theſe upon every Body, that I proteſt to God, I do not know four Perſons living, beſides my ſelf and you, that have not already given clear Demonſtrations, that they will purchaſe their own, and (as they flatter themſelves) the Kingdoms quiet at any price to the King to the Church, to the faithfulleſt of his Party. And to deal freely with you, I do not think it will be in the King's power to hinder himſelf from being forced to accept ſuch Conditions as the Rebels will give him; and that the next News you will hear, after we have been one Month at *Oxford*, will be, that I and thoſe few others who may be thought by our Councels to fortifie the King's infirmneſs to his Principles, ſhall be forced or torn from him, and you will find the prime Inſtruments to impoſe the neceſſity upon the King, of ſubmitting to what they and moſt of the King's Party at *Oxford* ſhall think fit. Truly, I have great confidence in the King's Virtue and Steadineſs, and I am much improved in it by this encloſed Letter which he wrote in his great diſtreſs in *Wales*, upon occaſion of declaring unto him there was nothing left for him to do but to ſeek Conditions. I proteſt to God I knew nothing either of the Letter or the occaſion, till a good while after it was ſent; but having then gained a ſight of it, I got leave to communicate a Copy of it only to the Queen, and to your ſelf. My Dear Lord, I ſhall add no more at this time, but only to conjure you, firſt, to believe, if I have any Truth or Honour in me, I have not the leaſt unfriendly thought in the world towards any mentioned or pointed at in this Letter, more than purely in relation to the King's Service. And in the next place, that tho' I ſtand ſingle againſt all the world, I ſhall not vary a tittle from thoſe Foundations of Juſtice and Right to the Honour and Intereſt of my Gracious Maſter and Miſtreſs which I have profeſs'd my ſelf built upon, and that I will in ſpight of the world carry to my Grave the Honour of a Servant intirely faithful and unbias'd, and of being worthy that happy Relation to you of

Aſcot, *Aug.* 27. 1645.

Your beſt Friend and Faithfulleſt Servant.

The Letter here mentioned is this which follows, ſent ſome time before from his Majeſty to Prince *Rupert* (a Copy whereof was ſeiz'd amongſt the Lord *Digby*'s Papers.)

The King's Letter to Prince *Rupert*.

C. R.

Nephew, This is occaſion'd by a Letter of yours which the Duke of *Richmond* ſhew'd me yeſterday: And firſt, I aſſure you, I have been (and ever will be) very careful to Advertiſe you of my Reſolutions ſo ſoon as they were undertaken; and if I injoined ſilence to that which was no *Secret*, it was not my fault, for I thought it one, and I am ſure it ought to have been ſo. Now as for your opinion of my Buſineſs, and

your

your Counſel thereupon, if I had any other Quarrel but the Defence of my Religion, Crown and Friends, you had full reaſon for your Advice; for I confeſs that ſpeaking as a meer Soldier, or Stateſman, I muſt ſay, there is no probability but of my Ruin; yet as a Chriſtian I muſt tell you, that God will not ſuffer Rebels and Traytors to proſper, nor this Cauſe to be overthrown. And whatever Perſonal Puniſhment it ſhall pleaſe him to inflict upon me, muſt not make me repine, much leſs give over this Quarrel; and there is as little queſtion that a Compoſition with them at this time, is nothing elſe but a ſubmiſſion, which by the Grace of God I am reſolved againſt whatever it coſt me: For I know my Obligation to be both in Conſcience and Honour, neither to abandon God's Cauſe, injure my Succeſſors, nor forſake my Friends. Indeed I cannot flatter my ſelf with expectation of good ſucceſs more than this, to end my days with Honour and a good Conſcience, which obligeth me to continue my Endeavours, in not deſpairing that God may yet in due time avenge his own Cauſe. Tho' I muſt aver to all my Friends that he that will ſtay with me at this time, muſt expect and reſolve either to die for a good Cauſe, or (which is worſe) to live as miſerable in maintaining it as the violence of inſulting Rebels can make him. 21 *Caroli.*

Having thus truly and impartially ſtated my Caſe unto you, and plainly told you my Reſolutions which by the Grace of God I will not alter, they being neither lightly nor ſuddenly Grounded; I earneſtly deſire you not in any wiſe to hearken now after Treaties, aſſuring you that as low as I am, I will do no more than was offered in my Name at *Uxbridge*. Confeſſing that it were as great a Miracle that they ſhould agree to ſo much reaſon, as that I ſhould be within a Month in the ſame condition that I was immediately before the Battel at *Naſeby*. Therefore for God's ſake let us not flatter our ſelves with theſe Conceits. And believe me, the very imagination that you are deſirous of a Treaty will but loſe me ſo much the ſooner; wherefore as you love me, whatſoever you have already done, apply your Diſcourſe hereafter to my Reſolution and Judgment. As for the *Iriſh* I aſſure you, they ſhall not cheat me, but it is poſſible they may cozen themſelves; for be aſſured what I have refuſed to the *Engliſh*, I will not grant to the *Iriſh* Rebels, never truſting to that kind of People (of what Nation ſoever) more than I ſee by their Actions. And I am ſending to *Ormond* ſuch a Diſpatch as I am ſure will pleaſe you and all honeſt Men, a Copy whereof by the next opportunity you ſhall have. Laſtly be confident I would not have put you nor my ſelf to the trouble of this long Letter, had I not a great Eſtimation of you, and a full confidence of your Friendſhip too.

Caerdiffe, Aug. 3. 1645. *C. R.*

But this Defeat at *Sherburn* was not the worſt of my L. *Digby*'s Misfortunes, for haſtening thence towards *Skipton*, he and Sir *Marmaduke Langdale* ſent to thoſe of the King's Party in *Lancaſhire* and *Cumberland* to come and joyn with them, and endeavour'd to have paſs'd by *Kirby-Luńſdale*, but Col. *Briggs* ſecured that Paſs againſt them, and made them turn by the way of the Sands about *Partmach* to get into *Cumberland*; Lieut.Gen. *Leſley* was before between them and *Montroſs*, and ſent out a Brigade of about 1200 Horſe under Maj. Gen. *Vandruske* to meet them, who made good ſeveral Paſſes, but my Lord and his Troops having Sir *William Huddleſton* for their chief Guide, got over the Fords at Low-water, and ſo eſcaped. Alſo the Lord *Balmerinoth* with Forces out of the Frontiers of *Scotland* prepared to oppoſe them, but being skilful in the ways they wheeled about and avoided him too. At laſt Sir *John Brown* a *Scotch* Governour of *Carliſle* with a Party met with them about *Carliſle*-Sands, and tho' inferior in Number Charged them ſo furiouſly that he broke through their Body and routed them, kill'd divers; took

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took my Lord's Standard, and Sir *Marmaduke's*, a Quarter-Maſter-General, One Colonel, Two Lieutenant Colonels, and ſeveral other Priſoners, and about 200 Horſes and Arms: On the other ſide Sir *John Brown* was ſhot through his ſide, Capt. *Leſley* alſo Wounded, and about fifty Slain and Wounded. After this Grand Defeat endeavouring to get to *Dumfreeze*, and ſo at laſt to Joyn *Montroſs*, and finding their Paſſage intercepted before, and all hopes of Retreat barr'd behind, my Lord *Digby* and Sir *Marmaduke*, the Lord *Carnworth*, Sir *William Huddleſton*, and about thirty Horſe got the opportunity of ſome Veſſels on the Coaſts, and Tranſported themſelves into the *Iſle of Man*; and from thence the Lord *Digby* conveyed himſelf into *Ireland*. The reſt of their Forces diſperſed ſeveral ways, and many of them as they ſtraggled homewards were taken up by *Vandruske*, and the *Northumberland* Forces that ſtood for the Parliament. As alſo by Col. *Briggs*, with the *Lancaſhire* Troops and others.

Lord *Digby* eſcapes to *Ireland.*

Hereford Surpriz'd by a Stratagem, and taken, *Dec.* 8*th.*

The next ill News that arrived to his Majeſty was out of the *Weſt*; the City of *Hereford* that had withſtood the *Scots* Army was now unexpectedly taken by a ſmall Party: The manner thus, Col. *Morgan* (who upon *Maſſey's* being call'd to Command in the *Weſt*, ſucceeded him in the Government of *Glouceſter*) and Col. *Birch* who was Governour of *Bath*, (having Intelligence that the Gariſon of *Hereford* ſince the Remove of the *Scots*, lived very ſecure, and negligent, and wanting not ſome Correſpondence in the City) drew together their Forces, amounting in all to about 2000 Horſe and Foot, (*viz.* of *Glouceſter* Forces 1050, and from *Bath* 950) reſolved to attempt the Surprize of the ſaid City of *Hereford*, whereunto they were encouraged by the convenient Situation of *Ailſton's* Hill which faced the Draw-Bridge, where an Army might lye in Ambuſh undiſcovered by the Centinels, eſpecially ſince the Guards there were ſo ſecure as to neglect, ſending out of Scouts, or ſecuring *Lug-Bridge*, and then the Walls of the Priory within Carbine-ſhot of the Gate, being then ſtanding, gave an advantage there to Lodge a Forlorn Party of Firelocks: But the main point was they contriv'd to ſend an Officer pretending himſelf a Conſtable with ſix Men with Mattocks and Shovels as Labourers brought by him out of his Pariſh upon the Summons of the Governour (which were then uſually ſent out to the Neighbouring parts) to help to work in the Fortifications of the Gariſon, and theſe coming up to the Gate juſt after the Draw-bridge was let down in the Morning, were to take the opportunity to kill the Guard, and give the Forlorn an opportunity to enter. The Plot being thus laid, the aforeſaid conjoyn'd Forces on *Tueſday* the 16*th* of *Decemb.* drew towards *Hereford*, but by reaſon of the deepneſs of the Snow, the Foot were not able to come up time enough, ſo that to avoid all ſuſpition, they then retreated to *Ledbury* within about nine miles of *Glouceſter*, and there having refreſh'd and reſted themſelves all *Wedneſday*, towards Night they again began their March to *Cannon-Froom*, whence Captain *Aldern* with two Troops of Horſe ſecured the three Bridges, viz. *Lug-Bridge*, *Lugwarden-Bridge*, and *Wordiſords-Bridge*, by means whereof there could no Alarm or notice paſs unto the Gariſon. Between Three and Four a Clock on *Thurſday* Morning the Body of Horſe and Foot Rendezvous'd together behind *Ailſton's* Hill; then there were 150 Firelocks Commanded out under Capt. *Howorth*, and one of Col. *Birch's* Captains to the Priory; Lieut. *Barrow* who

was

21 *Caroli.*

was to Act the Conſtable with his ſix Men, accoutred as Country-Labourers, got ready, and about Eight of the Clock the Draw-Bridge being let fall, brought them up thither, and produced the pretended Return of a Warrant from the Governour, ſpecifying the *Names of the Perſons ſent to Work*, who were preſent with their Spades and Pickaxes, which whilſt he that Commanded the Guard was viewing, they kill'd him and two others, and held the reſt in Play until the Firelocks rush'd up to them, and poſſeſſed the Gate, and ſo let in the whole Body; the Foot being led by *Birch*, the Horſe by *Morgan*, who ſcowring the Streets prevented the Gariſon from drawing into a Body, tho they made all the Reſiſtance they were able, under ſuch a Surprize, ſo that with little loſs they became Maſters of the City, which the Soldiers Plunder'd, tho' the Commanders endeavour'd to prevent it. Here were taken Priſoners the Lord *Brudenell*, Sir *Tho. Lunsford*, Sir *Walter Blunt*, Sir *Henry Spiller*, Sir *Henry Bedington*, Sir *Marmaduke Lloyd*, and many other Knights, Commanders and Gentlemen; Eleven Pieces of Cannon, much Arms, Ammunition, &c.

Priſoners taken.

The Two Houſes appointed a Thankſgiving for this Succeſs, and Ordered that Lieut. *Barrow* ſhould have 100 *l.* paid him at preſent, and 50 *l. per Annum* to him and his Heirs for ever out of the Eſtate of Sir *Henry Lingen*, an Eminent Royaliſt in thoſe Parts.

The next Grand Loſs was that of *Weſt-Cheſter*, a Place ſtrong in it ſelf, as having high and broad Walls, with many Towers and Bulwarks flanking the ſame, and ſince theſe Wars Fortified by more than ordinary Mud-walls ſecuring the Suburbs, and to compleat the whole, the River *Dee* (in ſome meaſure Navigable) ſecures it on the Weſt and South, which ſwells ſo broad and high in the Tide that no Forces by Land can reſtrain Relief by Sea; but beſides its Srength, its Situation renders it very advantageous, being as it were the Key of *Ireland*, and a Tye to unite *North-Wales* to *Lancaſhire* by a ſmall Neck of Land in *Cheſhire* five miles over, the Rivers on both ſides Fordable. This important City ever ſince the beginning of theſe Troubles, ſecured by the Commiſſioners of Array, had been kept for the King; and having ſo great an Aſcendant on thoſe parts of the Kingdom, the Parliament had uſed great Endeavours to gain it, much time and treaſure having been ſpent by Sir *William Brereton* for reducing thereof; and of *Beeſton* Caſtle, a Neighbouring Gariſon firſt fortified by the Parliament, but upon the Arrival of the Forces out of *Ireland* with other Forces under the Command of Sir *John Byron*, loſt by one Capt. *Steel* the Governour (as 'twas ſaid) by neglect or Cowardice, for which he was ſentenc'd to death by a Council of War and Executed; and thenceforwards it remained in poſſeſſion of the King's Forces till a while before the taking of *Cheſter*, and then as a *Prodromus* of its Neighbouring Cities fate was yielded to the Parliament.

Weſt-Cheſter taken by the Parliaments Forces.

We have before in their proper places occaſionally mentioned ſeveral Actions relating to the Siege of *Cheſter*, needleſs here to be repeated, as how it was relieved, and the Forces before it forced to riſe, upon the approach of Prince *Rupert*, how afterwards Col. *Jones* ſurprized the Out-works of the City, and the King endeavouring to relieve it, was repell'd at *Routon-Moor*; after which time the Beſiegers both there and at *Beeſton* Caſtle plied their Buſineſs more earneſtly than ever, about the beginning of *October* 1645, ſent for Great Guns to *Stafford* and *Shrewsbury*, wherewith eſpecially

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ally on the the *Welſh* ſide they did great Execution, and continued Battering, and ſeveral times Storming very furiouſly, but without ſucceſs.

On *Saturday*, *Octob.* 25. Sir *William Brereton* (who had been call'd away to *London*) came down again, being appointed by the Parliament to Command in Chief, and having notice that Sir *William Vaughan* was gathering of Forces about *Denbigh* to raiſe the Siege, ſent Col. *Jones* with 1400 Horſe and Dragoons, and Adjutant *Louthian* with 1000 Foot to diſſipate them, whom they found not to be above 2000 ſtrong at moſt, yet they fought bravely; but at laſt *Jones* and *Louthian* put them to flight, kill'd (as was computed) one hundred, and took two or three hundred Priſoners, and ſeveral hundred Horſes.

Sir *William Vaughan* defeated at *Denbigh*, *Nov.* 1.

The 14*th* of *November Beeſton*-Caſtle after Eighteen Weeks continual Siege, being reduced to ſuch want of Proviſions that they eat Cats, *&c.* the Governour Col. *Ballard* in compaſſion to his Soldiers conſented to beat a Parley, whereupon a Treaty followed, and having obtained very Honourable Conditions (even beyond expectation in ſuch Extremity, *viz.* To march out, the Governour and Officers with their Horſes and Arms, and their own proper Goods (which loaded two Wains) the Common Soldiers with their Arms, Colours flying, Drums beating, Matches alight, and a proportion of Powder and Ball, and a Convoy to Guard them to *Flint*-Caſtle. He did on *Sunday* the 16*th* of *Novemb.* ſurrender the Caſtle. The Gariſon being reduced to not above ſixty Men, who marched away according to the Conditions.

The Siege of *Cheſter* continued ſtill with the utmoſt Efforts of Courage and Skill both on the Defendants part, and Aſſailants; for the Lord *Byron* bouy'd up with continual hopes and intelligence of Relief from *Ireland*, reſolved if poſſible to preſerve the Town; and when he perceived thoſe Expectations fail, and began to hearken to a Treaty, inſiſted on very high Conditions, as appears by this Letter of Sir *William Brereton*'s to him.

My Lord,

Sir *William Brereton*'s Letter to the Lord *Byron* Governour of *Cheſter*.

I Cannot now ſend you ſuch Propoſitions as have been formerly rejected, every day producing loſs of Blood, and expence of Treaſure; neither will I trouble my ſelf with anſwering the Particulars of your unparallel'd Demands; to which if I ſhould ſuit mine, I could require no leſs than your ſelf and all the Officers and Commanders to be my Priſoners, and the reſt to ſubmit to Mercy. Yet to witneſs my deſires of the preſervation of the City, I have upon ſerious conſideration and debate thought fit to tender theſe encloſed Conditions; for the perfecting whereof I am content Commiſſioners meet concerning them, and ſuch further Particulars as may be conceived conducible to the Welfare of the City and Counties adjacent, and have given Commiſſion to theſe Gentlemen to receive your Anſwer in writing to theſe Propoſitions of mine herewith ſent, touching which I ſhall not be ſo ſcrupulous as to demand their return, not valuing to what view they may be expoſed, therefore they are to be left with you if you pleaſe, and remain

Cheſter-Suburbs,
Jan. 26. 1645.

Your Servant,
William Brereton.

To this my Lord that day return'd, that he could not at preſent give an Anſwer in regard of the ſeveral Conditions of Men therein concern'd, who muſt be conſulted; but the next day ſent his Anſwer thus:

SIR,

21 *Caroli.*

SIR,

The Lord *Byron*'s Anſwer.

THESE Demands of mine which you term unparallel'd, have been heretofore granted (by far greater Commanders than your ſelf, no diſparagement to you) to places in far worſe condition than (God be thanked) this is yet; Witneſs the *Baſſe*, *Breda*, *Maeſtricht*, and as many other Towns as have been Beleaguer'd either by the *Spaniard* or the *Hollander*, or to come home, *York* and *Carliſle*, and neareſt of all *Beeſton*-Caſtle. And therefore you muſt excuſe me if upon the Authority of ſo many Examples, I have not only propounded, but think fit to inſiſt upon them as the ſenſe of all manner of People in the City. As for your conceit in the demanding of my ſelf and the reſt of the Commanders and Officers to be your Priſoners, I would have you know, that we eſteem our Honours ſo far above our Lives, that no Extremity whatſoever can put ſo mean thoughts into the meaneſt of us all. And that to ſubmit to your mercy, is by us reckon'd amongſt thoſe things that we intend never to make uſe of. I am nevertheleſs ſtill content that the Commiſſioners whoſe Names I formerly tendred unto you, meet with ſuch as you ſhall appoint in any indifferent place to Treat upon Honourable Conditions, and deſire you to aſſure your ſelf that no other will be aſſented unto you by,

Cheſter, Jan. 27. 1645.

Your Servant, John Byron.

My Lord,

Brereton's Reply.

I Cannot believe that you conceive the War betwixt the *Hollander* and *Spaniard* is to be made a Precedent for us: Neither can I believe that ſuch Conditions as you demanded were granted to the *Baſſe*, *Breda*, or *Maeſtricht*; ſure I am none ſuch were given to *York*, *Carliſle*, or *Beeſton*, tho' ſome of them were maintained by as great Commanders as your ſelf, and no diſparagement to you, I ſhall therefore offer to your conſideration the Examples of *Liverpool*, *Baſing* and *Latham*, who by their refuſal of Honourable Terms when they were propounded, were not long after ſubjected to Captivity and the Sword; you may therefore do right to all thoſe many Innocents under your Command, to tender their ſafety and the preſervation of the City; For which end I have ſent you fair and Honourable Conditions, ſuch as are the ſenſe of all the Officers and Soldiers with me, which being rejected you may expect worſe from

Cheſter-Suburbs, *Jan.* 27. 1645.

Your Servant, William Brereton.

After ſeveral ſuch mutual Meſſages, Commiſſioners were at laſt appointed, and agreed upon Terms, and the City was delivered up *Febr.* 3. on the Articles following.

1. THAT the Lord *Byron*, and all Noblemen, Commanders, Officers, Gentlemen and Soldiers, and all other Perſons whatſoever, now reſiding in the City of *Cheſter*, and the Caſtle and Fort thereof, ſhall have liberty to march out of the ſaid City, Caſtle, and Fort, with all their Apparel whatſoever, and no other or more Goods, Horſes or Arms, than are hereafter mentioned, *viz.* The Lord *Byron* with his Horſe and Arms, and ten Men with their Horſes and Arms to attend him: Alſo his Lady and Servants, two Coaches and four Horſes in either of them, for the accomodating of them, and ſuch other Ladies and Gentlewomen as the ſaid Lord *Byron* ſhall think meet, with eighty of the ſaid Lord's Books, and all his Deeds and Evidences, Manuſcripts and Writings in his poſſeſſion; the ſaid Lord, his Lady, nor any their Attendants, carrying amongſt them all above Forty Pounds in Money, and Twenty Pounds in Plate: The reſt of the Noblemen with their Ladies and Servants, to march with their

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Horſes, each of the ſaid Lords attended with four Men, their Horſes and Arms; every ſuch Nobleman carrying with him not above Thirty Pounds in Money: Every Knight and Colonel to march with two Men, their Horſes and Arms; no ſuch Knight or Colonel to carry with him above Ten Pounds in Money: Every Lieutenant Colonel, Major and Captain of Horſe, with one Man, their Horſes and Arms; no ſuch Lieutenant Colonel, Major or Captain, carrying with him above Five Pounds in Money: Every Captain of Foot, Eſquire, Graduate, Preaching Miniſter, Gentleman of quality, the Advocate and Secretary to the Army, every of them with his own Horſe and Sword (the Miniſters without Swords) none of them carrying with him above Fifty Shillings, and the Miniſters to have all their own Manuſcripts, Notes, and Evidences: Lieutenants, Cornets, Enſigns, and other inferior Officers in Commiſſion, on Foot with every Man his Sword, and not above Twenty Shillings in Money: All Troopers, Foot-Soldiers, Gun-powder Makers, Canoniers, and all other not before mentioned, to march without Horſe or Arms. And that none of the ſaid Perſons before mentioned, ſhall in their March, after they are out of the City and Liberties thereof, be Plundered, ſearched or moleſted.

2. That all Women of what degree ſoever, that pleaſe to march out of the City, ſhall have all their Apparel with them; and ſuch Officers Wives, whoſe Husbands are Priſoners or abſent, may carry ſuch Sums of Money with them, as are allowed by theſe Articles to Commanders, Officers, and Gentlemen of their Husbands qualities, and no more.

3. That none of the Commanders, Officers or Soldiers, or any other at or before their marching out of the City, Caſtle or Fort, do injure or Plunder the Perſon or Goods of any, nor carry any thing away out of the ſaid City, Caſtle or Fort, but what is their own, and hereby allowed.

4. That all Citizens and others now reſiding within the City, ſhall be ſaved and ſecured in their Perſons, and their Goods and Eſtates within the City and Liberties thereof, preſerved and kept from the Plunder and violence of the Soldiers, and have the like freedom of Trade, as other Cities and Towns under the Parliaments Protection have, and ſuch Immunities as they of right ought to have. And that every ſuch Merchant, and Tradeſman of *Cheſter*, as ſhall deſire to go into *North-Wales*, to look after his Goods, ſhall have a Paſs to go thither, and return back again; he firſt giving Security, that (during his abſence) he will do no act to the prejudice of the Parliament: And that no ſuch Perſon ſhall at any time without Licenſe carry more Moneys with him, than ſufficient to defray the Charges of his Journey. And that all Citizens and other Inhabitants, who ſhall now or hereafter deſire to march forth of the City of *Cheſter*, and not act any thing againſt the Parliament, his, or their Wives, or Families, to have the benefit and priviledge of Inhabitants.

5. That ſuch Officers and Soldiers as ſhall be left Sick, or Wounded within the City of *Cheſter*, or the Caſtle, or Forts thereof, ſhall have liberty to ſtay until their recovery, and then have Paſſes to *Conway*, or any of the King's Gariſons not Blocked up: In the mean time to be provided for.

6. That the ſaid Lord *Byron*, Noblemen, Commanders, Gentlemen, Officers and Soldiers, and all others that ſhall march out of the Town, ſhall have liberty to march to *Conway*, and five days are allowed them to march thither with a Convoy of two hundred Horſe; the *Welſh* Officers and Soldiers to have liberty to go to their own homes, all of them to have free Quarter in their March, and twelve Carriages (if they ſhall have occaſion to uſe ſo many) which Carriages are to be returned on the ſixth day, and that Paſſes be given them for their ſafe return to *Cheſter*, and that they be ſecured until they return thither.

7. That no Soldier in his March ſhall be inveigled or enticed from his Colours or Command, with any promiſe or inducement whatſoever.

8. That all ſuch Perſons, Citizens, or others, who have Families in *Cheſter*, and are now in places remote thence, ſhall have the like benefit of theſe Articles, as thoſe who are now reſident in the City.

9. That

21 *Caroli.*

9. That the Friends of the Earls of *Derby* and *Litchfield*, or of any of thoſe whoſe dead Bodies are not yet Interred in *Cheſter*, ſhall have two Months time to fetch them thence, whither they pleaſe; provided, that none of them come attended with above twenty Horſes.

10. That no Church within the City, or Evidences, or Writings, belonging to the ſame, ſhall be defaced.

11. That ſuch *Iriſh* as were born of *Iriſh* Parents, and have taken part with the Rebels in *Ireland*, and now in the City, ſhall be Priſoners.

12. That all thoſe Horſes and Arms belonging to thoſe that march out, and not by theſe Articles allowed to be taken and carried out of the City (except ſuch Horſes as are the proper Goods of the Citizens and Inhabitants that ſhall remain in the City) before the delivery of the ſame be brought, the Horſes into the Caſtle-Court, and the Arms into the Shire-Hall, where Officers ſhall be appointed to receive them.

13. That in conſideration hereof, the ſaid City and Caſtle without any ſlighting or defacing thereof, with all the Ordinance, Arms, Ammunition, and all other Furniture and Proviſions of War therein whatſoever, except what is allowed to be carried away, and all the Records in the Caſtle, without diminution, imbezelling or defacing, be delivered to the ſaid Sir *William Brereton*, or ſuch as he ſhall appoint for the uſe of King and Parliament, upon *Tueſday* next, being the Third of this Inſtant *February* 1645, by Ten of the Clock in the Forenoon.

14. That the Fort with all the Ordnance, Arms, Ammunition and Proviſion therein, of what ſort ſoever, not formally granted or allowed of, upon the ſigning of theſe Articles be delivered to Sir *William Brereton*, or ſuch as he ſhall appoint.

15. That upon Signing of theſe Articles, all Priſoners in the City, Caſtle, and Fort, that have been in Arms for the Parliament, or impriſoned for adhereing thereunto, ſhall immediately be ſet at Liberty.

16. That the Convoy ſhall not receive any injury in their going or coming back, and ſhall have three days allowed for their return.

17. That if any Perſon concerned in any of theſe Articles ſhall violate any part of them, ſuch Perſon ſhall loſe the benefit of all the ſaid Articles.

18. That upon the Signing of theſe Articles, ſufficient Hoſtages, ſuch as ſhall be approved of, be given for the performance of the ſaid Articles.

Signed by us the Commiſſioners appointed on the behalf of the right Honourable the Lord *Byron*.

Edmund Verney, John Robinſon, Thomas Cholmondeley, Peter Griffith, Henry Leigh, Thomas Throppe, Chriſtopher Bleaſe, William Ince, John Werden, John Johnſon, Edward Moreton, Thomas Bridge.

What is done by the Commiſſioners is confirmed by *John Byron*.

The Affairs of the City being ſetled, Col. *Jones* was there left Governour for the Parliament, and the Neighbouring Gariſons of *Holt*, *Hawarden* and *Ruthen*-Caſtle, were all ſtraitly begirt, and not able to hold out long after.

The Routing of the Lord *Aſtley* near *Stow*, *March* 22. 1645.

But as this Year had generally been very fatal to his Majeſty's Intereſts, ſo it concluded with ſuch a *Sparring-Blow* as deſtroy'd almoſt all hopes of Reſource; and this was the Defeat of the Lord *Aſtley*, who had the only ſtanding Force abroad for the King, and with them, amounting in all to about the Number of 3000, (the greater part Horſe) was advancing from *Worceſter* towards *Oxford* to Joyn with his Majeſty, and by that Conjunction would have furniſh'd his Majeſty with ſuch a competent Force that he might have been able to have taken the Field this *Spring*, and by ſpeedy Marches, and declining Engagements with the Enemy, might have

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augmented his Numbers with freſh Recruits, or at leaſt gained time till the promiſed Supplies of Men from *Ireland*, and Money and Men from other parts ſhould arrive, to put his Affairs in a better poſture; ſo that on theſe Troops with my Lord *Aſtley* as the laſt Stake, they at *Oxford* built all their hopes, and therefore the better to facilitate his advance drew out from thence a Party of 1500 to meet him; but all Intelligence and the Paſſages were ſo intercepted by the Enemy, that theſe latter never could hear a word of my Lord's motions till they received the ſad Tidings how he was utterly defeated, by Col. *Morgan*, Sir *William Brereton*, Col. *Birch*, *&c.* near *Stow* in *Glocesterſhire*; of which Col. *Morgan* who Commanded there in Chief for the Parliament, by permiſſion of Sir *W. Brereton* gave this following Account.

HAving received a Command from the Honourable Committee of both Kingdoms to take the Charge of a Brigade of Horſe and Foot drawn out of the Gariſons of *Glouceſter*, *Hereford*, and *Eviſhalm*, to prevent the Lord *Aſtley*'s Conjunction with the King's Forces at *Oxford*, and to effect that deſign, I drew forth and Rendezvouſed ſeaſonably near *Eviſhalm* and *Warwick*, notwithſtanding the Lord *Aſtley* endeavoured by all means to get by me, which much foiled my Brigade to prevent, in marching from place to place, to ſecure the place upon the River *Avon*. Yet after ſome conſiderations, I perceived that he was unwilling to paſs over ſo long as I lay near the River. Reſolved upon *Thurſday* laſt to quarter and camp in the moſt convenient place (whereſoever he made his paſſage) to fall upon him, and that Night had Intelligence of his March from *Droit* with near 100 Horſe towards *Bedford*, three miles from *Eviſhalm*, whereof I preſently advertized Col. *Whaley*, and Col. *Fleetwood*, and ſent Poſt to Sir *W. Brereton* for the aſſiſtance of his Horſe, which was accordingly granted. But upon *Friday* the Lord *Aſtley* ſtill continuing his March, and Sir *W. Brereton* not come up, was forced to hold him in action for the ſpace of four Hours, Skirmiſhing with by Parties, and keeping my Body drawn up in a moſt advantageous place for purſuit, in caſe he ſhould paſs by me before Sir *Will. Brereton* came up, which about Nine a Clock that Night he did, whereupon I reſolved to purſue, thinking it more advantageous to fall upon his Rear, than at that time to draw out to meet him in the Field, and in my purſuit Sir *W. Brereton* came up with 800 Horſe, (of whom I deſired to receive Orders, but he referred the whole Command of the Field unto me, then being equal in number to the Lord *Aſtley*'s Forces, conſiſting of 3000. I commanded 400 Horſe, and 200 Firelocks to Charge his Rear-guard, to put him to a ſtand before he ſhould paſs through *Stow upon the Woold*, and as my Intelligence informed me, the King was to have joyned with him within ſeven miles of that place, where he made choice of his Ground, and had the Wind with him, yet truſting in God, I drew up and Charged him, whom half an hour before day on *Saturday* Morning I put to a total rout, killed many Gentlemen and Officers of quality, took Priſoners the Lord *Aſtley* and all his Foot-Officers, whoſe Names are in the incloſed Liſt, beſides 1600 Common Soldiers, whereof many being Wounded, I gave liberty to go to their own Homes, taking the Oath of the Fifth of *April*, the reſt I have ſent to *Glouceſter*. There are alſo taken 2000 Arms, and all their Ammunition. Sir *W. Brereton* deſired that the Lord *Aſtley* ſhould be his Priſoner, which I willingly condeſcended unto, not doubting but he will give a good account of him to the Parliament. This good ſucceſs (the glory thereof I deſire may be given unto God) will prevent the King from drawing an Army into the Field which he expected: I am now marched towards *Worceſter*, where I ſhall obſerve ſuch Orders as I ſhall receive from the Parliament and the Committee of both Kingdoms.

Cambden, March 22. 1645.

Your Faithful Servant, Tho. Morgan.

There

There were taken Priſoners the Lord *Aſtley*, Col. *Corlet*, Col. *Gerard*, Col. *Mouldſworth*, Lieut. Col. *Broughton*, Major *Billingſley*, Major *Harnedge*, Major *Saltonſtone*, and many other Officers. Thoſe that Eſcaped made towards *Farrington* and *Oxford*, of whom ſome were taken in the way by Col. *Fleetwood*. The Lord *Aſtley* was ſo ſenſible of the conſequences of this Defeat, that after he was taken Priſoner he ſaid to ſome of *Brereton's* Officers, *You have now done your work, and may go to play, unleſs you will fall out amongſt your ſelves.* This action happen'd on the 22*th* of *March*, and therefore therewith we muſt conclude the Military part of this Year 1645.

1 Civil.

CHAP. V.

The moſt Remarkable Parliamentary and Civil Occurrences of the Year 1645.

Die Sabbathi, *April* 5. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament, for enabling the Commiſſioners of the Great Seal, and the other Committees in their ſeveral Counties, to tender an Oath to all ſuch Perſons of what Degree or Quality ſoever, that ſhall come in to the Protection of the Parliament.

Ordinance impoſing an Oath on all that come into the Parliaments Protection, *Apr.* 5. 1645.

BE it Ordained by the Lords and Commons in Parliament aſſembled, That all and every Perſon of what Degree or Quality ſoever, that hath lived or ſhall live within the King's Quarters, or been aiding, aſſiſting, or adhering unto the Forces raiſed againſt the Parliament, and hath or ſhall come to inhabit or reſide under the power and protection of the Parliament, ſhall ſwear upon the Holy Evangeliſt in manner following:

The Oath.

I A. B. *do ſwear from my heart that I will not directly nor indirectly adhere unto or willingly aſſiſt the King in this War, or in this Cauſe againſt the Parliament, nor any Forces raiſed without the conſent of the two Houſes of Parliament in this Cauſe or War. And I do likewiſe ſwear that my coming and ſubmitting my ſelf under the Power and Protection of the Parliament, is without any manner of deſign whatſoever, to the prejudice of the Proceedings of the two Houſes of this preſent Parliament, and without the direction, privity or advice of the King, or any of his Councel or Officers, other than what I have now made known. So help me God, and the Contents of this Book.*

And be it further Ordained by the Authority aforeſaid, That the Commiſſioners for keeping of the Great Seal of *England* for the time being, ſhall have Power, and are hereby Authorized to tender and adminiſter the ſaid Oath unto any Peer, or Wife or Widow of any Peer, ſo coming to inhabit as aboveſaid.

And it ſhall be lawful to and for the Committee of the Houſe of Commons for Examinations, the Committee for the Militia in *London*, and all Committees of Parliament in the ſeveral Counties and Cities of the Kingdom, to tender and adminiſter the ſaid Oath unto every other Perſon ſo coming to inhabit as aboveſaid. And if any Perſon (not being a Member of, or aſſiſtant unto either of the Houſes of the Parliament) ſhall refuſe or neglect to take the ſaid Oath ſo duly tendered unto him or her as aboveſaid, the ſaid Commiſſioners and Committees reſpectively ſhall and may commit the ſame Perſon to ſome Priſon, there to remain without Bail or Mainprize, until he ſhall conform thereunto.

Die Jovis 11. April. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament for exempting the Univerſity of Cambridge *from Taxations.*

Ordinance exempting the Univerſity of *Cambridge* from Taxes, *Apr.* 11. 1645.

WHereas humble repreſentation hath been made to the Lords and Commons aſſembled in Parliament on the behalf of the Univerſity of *Cambridge*, that the ſaid Univerſity, and the ſeveral Colleges therein are brought to ſuch neceſſity, by reaſon of the failing of their Rents

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Rents (a great part whereof cannot be received in theſe times of troubles and diſtractions) as they ſhall be altogether unable to ſupport any longer the Students of the ſaid Societies, unleſs they may be freed and exempted (according to their Charter, and the Indulgence of former Parliaments) from all Military Taxes, and other Contributions to the Publick Service, which are impoſed by Ordinance of Parliament.

The ſaid Lords and Commons taking the Premiſſes into conſideration, and to the end they may give as much eaſe and relief as the times will bear to theſe eminent Schools and Seminaries of Learning for their better encouragement to continue their Studies with diligence for the publick benefit both of Church and Commonwealth, think fit and Ordain, and be it Ordained, That nothing contained in any Ordinance or Ordinances of Parliament for and concerning the Impoſing, Levying or paying of any Aſſeſſments, Taxes and Charges whatſoever, as well already made and charged, as hereafter to be made and charged, by virtue of any of the ſaid Ordinances, ſhall be extended to charge the ſaid Univerſity of *Cambridge*, or any of the Colleges or Halls within the ſaid Univerſity, nor any the Rents and Revenues belonging to the ſaid Univerſity or Colleges, or any of them, nor to charge any Maſter, Fellow or Scholar of any the ſaid Colleges, nor any Reader, Officer or Miniſter of the ſaid Univerſity or Colleges, or any of them, for and in regard of any Stipend, Wages or Profit whatſoever ariſing or growing due to them, or any of them in reſpect of their ſaid ſeveral Places and Employments in the ſaid Univerſity, any thing in the ſaid Ordinances, or any of them to the contrary in any wiſe notwithſtanding.

And all Aſſeſſors, Collectors, and others whom this may concern, are hereby required to take notice of this Ordinance.

Provided that the Tenants who enjoy Leaſes from the ſaid Univerſity, and Colleges reſpectively do claim no freedom, exception, or advantage by this Ordinance.

Die Jovis April. 11. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament, for regulating the Univerſity of Cambridge, *and for removing Scandalous Miniſters in the Seven Aſſociated Counties.*

Ordinance for Regulating the Univerſity of *Cambridge*, *Apr.* 11. 1645.

WHereas many Complaints are made by the well affected Inhabitants of the Aſſociated Counties of *Eſſex*, *Norfolk*, *Suffolk*, *Hertford*, *Cambridge*, *Huntington*, and *Lincoln*, that the Service of the Parliament is retarded, the Enemy ſtrengthened, the Peoples Souls ſtarved, and their minds diverted from any care of God's Cauſe, by their idle ill affected and ſcandalous Clergy of the Univerſity of *Cambridge*, and the Aſſociated Counties; and that many that would give Evidence againſt ſuch Scandalous Miniſters are not able to travel to *London*, nor bear the Charges of ſuch a Journey: It is Ordained by the Lords and Commons aſſembled in Parliament, that the Earl of *Mancheſter* ſhall appoint one or more Committees in every County, conſiſting of ſuch as have been Nominated Deputy Lieutenants or Committees, by any former Ordinance of Parliament, in any of the ſaid Aſſociated Counties, every Committee to conſiſt of Ten, whereof any Five or more of them to Sit in any Place or Places within any the ſaid aſſociated Counties where the ſaid Earl ſhall appoint, with power to put in Execution theſe Inſtructions following, and in purſuance thereof to give aſſiſtance to the ſaid Committees.

Firſt, They ſhall have power to call before them all Provoſts, Maſters and Fellows of Colleges, all Students and Members of the Univerſity, and all Miniſters in any County of the Aſſociation, and all School-Maſters that are Scandalous in their Lives, or ill-affected to the Parliament, or Fomenters of this Unnatural War, or that ſhall wilfully refuſe Obedience to the Ordinances of the Parliament, or that have deſerted their ordinary places of Reſidence, not being imployed in the Service of the King and Parliament. And they ſhall have power to ſend for any Witneſſes, and examine any complaint or Teſtimony againſt them. Upon Oaths of ſuch Perſons as ſhall and may be produced to give Evidence againſt

gainſt them, and ſhall certifie their Names with the Charge and Proofs againſt them, to the ſaid Earl of *Mancheſter*, and he ſhall have power to reject ſuch as he ſhall judge unfit for their Places, and to Sequeſter their Eſtates, Means, and Revenues, and to diſpoſe of them as he ſhall think fitting, and to place other fitting Perſons in their room, ſuch as ſhall be approved of by the Aſſembly of Divines Sitting at *Weſtminſter*.

The Earl of *Mancheſter*, or the ſaid Committee or Committees ſhall have power to adminiſter the late Covenant taken, and to be taken of all the Three Kingdoms of *England*, *Scotland* and *Ireland*, to all Perſons in any of the ſaid Aſſociated Counties, and the Iſle of *Ely*, upon ſuch Penalties, as are or ſhall be aſſigned by the Parliament in this behalf.

And be it Ordained, That the ſaid Earl of *Mancheſter*, ſhall have power to diſpoſe of a fifth part of all ſuch Eſtates as they ſhall Sequeſter, for the benefit of the Wives and Children of any of the aforeſaid Perſons.

The ſaid Committee or Committees ſhall imploy a Clerk for the Regiſtring of all Warrants, Orders, Summons and Ejectments made by them; and that they chuſe ſome convenient place for the preſerving of the Writings of this Committee.

That the ſaid Earl of *Mancheſter* ſhall have power to examine and inhibit all ſuch as do obſtruct the Reformation now endeavoured by the Parliament and Aſſembly of Divines.

And be it further Ordained, That all ſuch as ſhall do any thing in execution of this Ordinance ſhall be kept Indemnifyed by the Authority and power of both Houſes of Parliament.

And further be it Declared, That the Earl of *Mancheſter* ſhall have power to appoint a convenient number, conſiſting of one or more out of every County, One out of the City of *Norwich*, and One out of the County and City of *Lincoln*; Provided that Three of theſe be Deputy-Lieutenants to Sit at *Cambridge* for the better Ordering of all Buſineſſes of the Aſſociation, according to Ordinances and Orders of Parliament, and according to his Commiſſion granted by his Excellency the Earl of *Eſſex*; and that the preſent Committee for the Aſſociation Sitting at *Cambridge*, ſhall ceaſe when the Earl of *Mancheſter* ſhall have appointed another under his Hand and Seal.

April 15. A Committee of Lords and Commons was this Day Nominated for the management of the Admiralty, *viz.*

Of the Houſe of Peers,	Of the Houſe of Commons,
Earl of *Eſſex.* Earl of *Warwick.* Earl of *Northumberland.* Earl of *Pembroke.* Lord *Say.* Lord *North.*	Sir *Walter Earl*, Sir *Philip Stapleton*, Sir *John Evelyn*, Jun. Sir *Chr. Wray*, Mr. *Role*, Mr. *Green*, Mr. *Hollis*, Mr. *Selden*, Mr. *Bence*, Doctor *Eden*, Mr. *Liſle*, Mr. *Whitlock.*

But afterwards *Apr.* 28. upon further Debate and Conſideration, the management thereof was committed only to the Earl of *Warwick* of the Houſe of Peers, and Mr. *Bence*, and Mr. *Perigrine Pelham* of the Commons Houſe.

Die Sabbathi, April. 26. 1645.

Ordinance that none ſhall Preach but ſuch as are Ordained *Anno* 1645.

IT is this Day Ordained and declared by the Lords and Commons in Parliament aſſembled, That no Perſon be permitted to Preach who is not Ordained a Miniſter either in this or ſome other Reformed Church, except ſuch (as intending the Miniſtry) ſhall be allowed for the trial of their Gifts by thoſe who ſhall be appointed thereunto by both Houſes of Parliament.

It is this Day Ordered by the Lords and Commons in Parliament aſſembled, That this Ordinance be forthwith Printed and Publiſhed, and that

Ann. 1645. that it be forthwith ſent to Sir *Thomas Fairfax*, with an earneſt deſire and recommendation from both Houſes, That he take care that this Ordinance may be duly obſerved in the Army, and that if any ſhall tranſgreſs this Ordinance, that he make ſpeedy Repreſentation thereof to both Houſes, that the offenders may receive condign puniſhment for their contempts. It is further Ordered by the Lords and Commons, That this Ordinance be forthwith ſent to the Lord Mayor and Committee of the Militia in *London*, to the Governours, Commanders and Magiſtrates of all Gariſons, Forces, Places of Strength, Cities, Towns, Forts and Ports: And to the ſeveral and reſpective Counties, with the like Injunction unto them reſpectively, that they take care that this Ordinance be duly obſerved in the Places aforeſaid reſpectively, and that they make ſpeedy repreſentation to both Houſes of ſuch as ſhall offend herein, that they may receive condign puniſhment.

May 31. 1645.

A Liſt of ſuch of the Navy Royal, as alſo of the Merchants Ships as are ſet forth to Sea for this Summers Expedition 1645, *in the Service of the King and Parliament. Together with their Names, Captains, Burdens, Number of Men and Ordnance in every Ship.*

His Majeſty's Ships.

Ships Names.	Commanders.	Tuns.	Men.	Ord.
1 James, *Admiral.*	*Rich. Blythe.*	875	280	50
2 Andrew, *Vice-Adm.*	*Will. Batten.*	650	260	36
3 Garland, *Rere-Adm.*	*Rich. Owen.*	575	170	40
4 Lyon.	*Rich. Swanley.*	600	170	40
5 Bonaventure.	*Hen. Bethel.*	557	170	38
6 Leopard.	*John Bowen.*	520	160	38
7 Antelope.	*Edw. Hall.*	512	160	36
8 Entrance.	*Will. Smith.*	539	160	38
9 Swallow.	*Will. Somaſter.*	500	150	36
10 John.	*Robert Zachary.*	400	110	28
11 Fellowſhip.	*Will. Pen.*	300	110	28
12 Globe.	*Rich. Willoughby.*	300	100	24
13 Sampſon.	*Rich. Whitty.*	300	70	20
14 Expedition.	*Joſeph Jourdain.*	160	100	18
15 Mary-Roſe.	*Phines Pet.*	321	100	28
16 Providence.	*John Stansby.*	260	100	18
17 Hector.	*Edw. Elliot.*	300	70	20
18 Eighth Whelp.	*John Kearſe.*	200	60	16
19 Warwick Frigate.	*Will. Thomas.*	200	80	22
20 Cygnett.	*John Man.*	160	70	18
21 Creſcent.	*John Edwin.*	140	50	14
22 Star.	*Robert Conſtable.*	130	60	16
23 Hind.	*Tho. Pilgrim.*	140	70	13
24 Greyhound.	*John Coppin.*	120	50	12
25 Lilly.	*John Lambert.*	80	45	8
26 Nichodemus.	*Thomas Pacy.*	80	45	8
27 Duncanon Frigate.	*Sam. Howell.*		50	10
28 Welcomb. Pink.	*John Green.*		45	8
29 Charles Frigate.	*Robert Clark.*	50	26	6
30 Dainty Pink.			25	4
31 Dove.	*William Hazard.*		25	6
32 Robert.	*William Rew.*		40	8

Merchants Ships.

Ships Names.	Commanders.	Tuns.	Men.	Ord.
1 May-Flower.	*Roger Philips.*	405	121	29
2 Conſt. Warwick.	*John Gilſon.*	300	120	26
3 Anne *and* Joyce.	*Thomas Jones.*	300	90	22
4 True-Love.	*Gerv. Coachman.*	259	75	20

5 Rebecca

5 Rebecca.	*Stephen Rich.*	250	75	20	21 Car.
6 Geo. Bonaventure.	*John Crampe.*	243	73	20	
7 Nicholas.	*Rich. Bray.*		57	20	
8 Anne Piercy.	*Thomas Smith.*		75	20	
9 Lucy.	*Elias Drew.*	160	64	14	
10 Providence.	*Roger Martin.*	180	54	16	
11 Joceline.	*Robert Clark.*	196	59	12	
12 Magdalen.	*John Hoſier.*	185	56	16	
13 Covenant.	*John Lawſon.*	140	45	12	
14 Mary *and* Anne.	*Peter Wappal.*	150	20	12	
15 Spy-Frigate.	*Andrew Davis.*	40	20	6	
16 Green-Frigate.	*Tho. Farmer.*	30	12	6	
17 Sea-Flower.			40	4	
18 Defyance.	*William Brooks.*			16	
19 Roe-Buck.	*William Liſton.*	80	50	10	

Junii 26. 1645. *An Additional Ordinance for the better taking and Expediting the Accompts of the whole Kingdom.*

FOR the better taking the Accompts of the whole Kingdom, and the more ſpeedy levying of ſuch Sums of Money as are or ſhall be due unto the Commonwealth upon ſuch Accompts as are or ſhall be determined.

It is Ordered and Ordained by the Lords and Commons in Parliament aſſembled, That the Committee for taking the Accompts of the whole Kingdom, and the ſeveral Sub-committees of Accompts within their reſpective Limits, ſhall have full Power and Authority, and are hereby Authorized to iſſue forth Warrants to the High Conſtables, Petty Conſtables, and Head-Boroughs of every Hundred, Lath, Rape, Wapentake, Ward, and to the Church-Wardens of every Pariſh, or any of them, or to any other Perſon or Perſons (under the Degree of a Peer of this Realm, nor to any Member of the Houſe of Commons) within the Limits aforeſaid, whom they ſhall think meet, thereby requiring the Perſons to whom the ſaid Warrant ſhall be directed to make ſtrict and diligent enquiry in every Pariſh of this Kingdom within their ſeveral Precincts, what Sum or Sums of Money, Plate, Horſe, Arms, Ammunition, Houſhold-ſtuff, Goods of all ſorts, Rents and Profits of Lands, Wood, Proviſions of all kind, and Free Quarter have been received, taken, collected, raiſed, ſeized or ſequeſtred within the ſaid Hundred, Lath, Rape, Wapentake, Ward and Pariſh, by way of Voluntary Contribution, Tax, or otherwiſe; and by whom the ſame hath been received, taken, collected, raiſed, ſeized, ſequeſtred, and to whom paid and delivered. And the ſaid Perſons unto whom the ſaid Warrants ſhall be directed, ſhall give notice thereof in writing, and leave, or cauſe the ſame to be left at every Houſe within every reſpective Pariſh, to inform them of all ſuch Sum or Sums of Money, Plate, Horſe, Arms, Ammunition, Houſhold-ſtuff, Goods, Rents and Profits of Lands, Wood, Proviſions of all ſorts, and Free Quarter that have been received, taken, collected, raiſed, ſeized or ſequeſtred by any Perſon or Perſons, and by whom paid, given or contributed to any Perſon or Perſons whatſoever, for the uſe of the Commonwealth by way of Aſſeſſment, or otherwiſe, within fifty days after Perſonal notice left or given under paint that every Perſon or Perſons, who ſhall wilfully or negligently fail to give in ſuch information within the time aforeſaid, without rendering a juſt and reaſonable cauſe of his or their failer herein, ſhall from thenceforth be diſabled to demand the benefit of the publick faith for all ſuch Moneys, Plate, Horſe, Arms, Ammunition, Proviſions, Contributions, Free Quarter, as he or they ſhall omit to inform of, and after ſuch information taken by the Perſons to whom the ſaid Warrant ſhall be directed, the ſame ſhall be returned in Writing to the ſaid Committee for taking the Accompts of the whole Kingdom, or unto the Sub-committee of Accompts reſpectively for the better inabling them to charge the ſaid Accomptants. And whereas ſeveral Sequeſtrations have been unwarrantably, fraudulently and deceitfully diſcharged, or let or ſold at under-values by the ſeveral Committees or Officers for Sequeſtrations in the ſeveral Counties, Cities, and other places of this Kingdom.

Be it Ordained, That the Committee for the taking of the Accompts of the whole Kingdom, and the ſeveral Sub-committees for the ſaid Accompts reſpectively, ſhall have power, and are hereby Authorized to inquire thereof by

A. 1645 Oath, and if they ſhall find the ſame to be unwarrantably, fraudulently and deceitfully diſcharged, under-ſold, or under-let, they ſhall further enquire by what ways and means, and by whom the ſaid diſcharge, under-ſale, or under-letting was procured, and ſuch Perſon or Perſons as ſhall be found faulty in the Premiſſes, ſhall make ſuch ſatisfaction to the Commonwealth, proportionable to their offence, as the Committee of Accompts for the Kingdom, or any Five of them, ſhall adjudge and determine, ſo as the ſaid Perſons be not Peers of this Realm, or Members of the Houſe of Commons.

And be it further Ordained, That the ſaid Committee for taking of the Accompts of the whole Kingdom, and the Sub-committees for the ſaid Accompts reſpectively, ſhall have Authority, and they are hereby Authorized to inquire of all Perſons whatſoever, that have or ſhall any way conceal and detain the Eſtates, Goods and Chattels of any Perſon or Perſons Sequeſtred, or Sequeſtrable, and ſhall charge them for the ſame as Accomptants to all intents and purpoſes, ſo as the ſaid Perſons be not Peers of this Realm, or Members of the H. of Comm.

And whereas ſeveral Accomptants to whom there is no allowance given by Act, Ordinance or Order of one or both Houſes of Parliament, demand upon their Accompts ſeveral Allowances: Be it Ordained, That the ſaid Committee for taking the Accompts of the whole Kingdom ſhall have power and authority, and they or any Five of them are hereby authorized to make ſuch reaſonable allowances unto the ſaid Accomptants for their Charges and Pains as they ſhall think meet, the ſaid allowances not exceeding a Peny in the Pound, for every Pound received by ſuch Accomptant.

And be it further Ordered and Ordained, That every Perſon or Perſons found in Arrear upon any Accompt to be determined by the ſaid Committee, or any Five or more of them, ſhall immediately upon determination of the ſaid Accompt and ſignification or notice thereof given to the ſeveral Perſon and Perſons aforeſaid, or left in writing, at his or their Houſe, or uſual place of abode by the ſaid Committee or any Five or more of them, pay in or cauſe to be paid unto the Chamberlain of the City of *London* for the time being, or unto ſuch particular Treaſurers, as by any former Act or Ordinance are appointed to receive the ſame, and in caſe no Treaſurers are already appointed, then unto ſuch Treaſurer as ſhall by Virtue of this Ordinance be made in every County of this Kingdom, all ſuch Sum and Sums of Money as ſhall be found and certified to be Arrear, and by him or them due and owing upon their ſaid Accompts, or otherwiſe give ſuch ſufficient Security for the payment thereof, in manner and form aforeſaid within the ſpace of forty days after the ſaid Certificate, as by the ſaid Committee for taking the Accompts of the whole Kingdom, or any five or more of them ſhall be approved of; and for default thereof, the ſaid Perſon or Perſons neglecting or refuſing to pay; or ſecure the ſaid Sums or Arrears as aforeſaid (not being a Peer or Aſſiſtant, or Officer of the Houſe of Peers, or Member or Officer of the Houſe of Commons) ſhall be committed by the ſaid Committee, or any five or more of them, unto ſuch Priſon as they ſhall think fit, there to remain without Bail or Mainprize, until he or they ſhall pay in the ſeveral Sums of Money, or give ſuch Security for payment thereof as aforeſaid. And if any ſuch Perſon or Perſons be Peers or Aſſiſtants, or Officers of either Houſe of Parliament, then their Names to be certified to ſuch Houſe as they ſhall belong to reſpectively, that ſuch further Courſe may be taken therein as ſhall ſeem meet.

And be it further Ordained, That if it ſhall appear to the ſaid Committee, or ſaid Sub-committees by the acknowledgment of the Accomptant, or otherwiſe, that there remains any Sum of Money or Goods in the hands or poſſeſſion of any Accomptant (not being a Peer or Aſſiſtant or Officer of the Houſe of Peers, or Member or Officer of the Houſe of Commons) or any other Perſon or Perſons to his uſe, that the ſaid Committee or any five or more of them, or any of the ſaid Sub-committee, or any five or more of them, ſhall before the ſaid Accompt determined have hereby power to order the payment of the ſame Moneys, and to make Sale of all ſuch Goods to the uſe and benefit of the Commonwealth within ſuch time as ſhall be by them limitted, or in default thereof, to proceed againſt the ſaid Accomptants as in the precedent Clauſe is directed againſt ſuch Perſons whoſe Accompts are determined.

And be it further Ordained, That if it ſhall appear by proof of the ſaid Committee of Accompts, or any Sub-committee of Accompts, that any Perſon or

Perſons

Persons who is accomptable by virtue of the Ordinances for taking of the Accompts of the whole Kingdom, or any of them, shall go about or endeavour to depart the Kingdom, or convey away, hide, or obscure his or their Estate, to prevent the payment of what shall be found justly due, from him or them unto the Commonwealth, that then the said Committee of Accompts or Sub-committee in every County, or any five or more of them respectively shall and may by Warrant under their hands to be made to such Person or Persons as they shall think fit, cause the Person and Estate of such Person or Persons (not being Peer or Assistant or Officer of the House of Peers, or Member, or Officer of the H. of Commons) to be seized and secured, until such time as he, or they shall put in good and sufficient Security to be taken by the said Commitee, or Sub-committe, or any Five or more of them respectively, that he or they shall and will truly pay and satisfie all such Sum or Sums of Money as shall be found due from him or them, unto the Commonwealth upon the determining of his or their Accompts. And be it further Ordained, That if any Person or Persons (not being a Peer or Assistant, or Officer of the House of Peers, or Member, or Officer of the House of Commons) shall be found Indebted and Arrear upon the foot of his or their Accompt, and shall be Imprisoned, or otherwise absent himself from the place of his usual abode or dwelling, by the space of one Month after notice of his or their Arrear given according to this Ordinance, that then the Committee for taking the Accompts of the Kingdom, or Sub-committees respectively, shall or may send for any Person or Persons in whose hands, power or knowledge the Estate Real or Personal of such Person so found in Arrear shall be, and examine the said Person or Persons upon Oath (which by Virtue of the said Ordinances, the said Committee or Sub-committee respectively shall have power to administer) for the Discovery of the Estate, Real or Personal, of such Person or Persons so indebted; and having discovered the same, that said Committee of Accompts, or any Five or more of them, shall have power to nominate some fit Persons who shall hereby have power, and are authorized to seize and make sale of the Estate Real and Personal, Rights and Credits of such Person so found in Arrear, in as ample manner as is usual in the Case of Bankrupts, the said Sale to be by Deed Inrolled in the Court of *Chancery*, and to be good and effectual in Law, to all intents and purposes against the said party so found in Arrear, and all claiming by, from and under him, without good and valuable consideration, and to cause such Money so raised to be paid to the respective Treasurers in this Ordinance named. 21 C. r.

And be it further Ordained, That the Sub-committee of every County of this Kingdom, or the major part of them, shall from time to time have power and authority to name one fit and able Person in every County to be Treasurer of that County, and the said Person so named being approved of and allowed by the Committee for taking the Accompts of the whole Kingdom shall receive the several Sums of Money that shall be found Arrear from any Person or Persons within the said County, and shall disburse the same, as the same is or shall be ordered by the Houses of Parliament; and the said Treasurer shall exhibit upon his Oath unto the said Sub-committee a Bill of such necessary Charges as he shall be at the receiving, paying, carrying of the Money received by him according to direction of such Order or Orders; which Charges so by him disbursed he shall and may lawfully retain upon his allowance of the said Bill.

And be it further Ordered and Ordained by the Authority aforesaid, That if any Person or Persons shall find him or themselves agrieved with the Determination of any such Accompt as aforesaid, then every such Person or Persons so agrieved after he or they have deposited, or sufficiently secured, in such sort as the Court of *Chancery* shall think fit, such Sum and Sums of Money as are found in Arrear, and by him or them due and owing, upon his or their said Accompt; unto the Chamberlain of the City of *London* for the time being shall and may within thirty days after such accompt shall be determined, and notice thereof to him or them given or left, and such payment or securing of the said Money aforesaid exhibit his or their Appeal into the Court of *Chancery* for redress therein, and that upon the said Appeal the Court of *Chancery* may by such ways and means as to the Lord Keeper or Commissioners of the Great Seal for the time being shall seem meet (the circumstances of the case considered) within six Months after the delivery of the said Appeal, in a Summary way, without

*A.*1645. without formality of proceedings, proceed to the Examination, hearing, and determining thereof, ſhall and may add or diminiſh, alter or enlarge the ſaid determining of the ſaid Accompt, as to them ſhall be thought to ſtand with equity and good Conſcience, and ſhall and may Tax and award ſuch Perſon and Perſons as they ſhall find to complain or appeal without any juſt or reaſonable cauſe to ſuch Coſts and Sums of Money as they in their diſcretions ſhall think fit, to the uſe of the Commonwealth, unto the Chamberlain of the City of *London* aforeſaid, and for neglect or refuſal thereof, to commit the ſaid Perſon or Perſons to Priſon until they ſhall pay the ſame; and that the ſaid Sums of Money ſo paid unto the Chamberlain of the City of *London* upon the ſaid appeal ſhall not be diſpoſed of until the ſaid appeal be determined, and ſo much ſhall be adjudged againſt the appellant, to be paid unto ſuch particular Treaſurers as are appointed to receive the ſame as aforeſaid, or to be diſpoſed as by Order of the ſaid Houſes of Parliament ſhall be appointed and directed: And the party that ſhall proſecute the Suit for the Commonwealth, ſhall have full Coſts allowed unto him in caſe he that ſhall appeal ſhall not prevail upon his appeal.

And further it is hereby Ordered and Ordained by the ſaid Lords and Commons, that all Perſons employed or to be employed in taking of the ſaid Accompts by virtue of the aforeſaid Ordinances, their and every of their Officers and neceſſary Attendants, and their and every of their Horſes ſhall be free from preſſing, and ſhall not be ſeized or taken by virtue of any Order or Ordinance for the Service of the State, ſo long as they or any of them are employed in or about the taking of the ſaid Accompts.

And be it further Ordained, that the Officers and other Perſons employed by the ſeveral Sub-committees in each County and City, ſhall have ſuch reaſonable and fitting Allowances as ſhall be thought fit by the ſaid Sub-committees the major part of them, and ſhall be approved of by the Committee for taking the Accompts of the whole Kingdom, or any Five of them.

And be it further Ordained, That if any Perſon or Perſons (not being a Peer of this Realm, Aſſiſtant or Officer of the Houſe of Peers, or Member or Officer of the Houſe of Commons) that ſhall be Summoned to appear before the Committee for taking the Accompts of the whole Kingdom, or the ſaid Sub-committees reſpectively, ſhall wilfully neglect or refuſe to appear before the ſaid Committee or Sub-committee, and ſhall afterwards for ſuch his neglect or refuſal, be ſent for and attached by their Meſſenger or Meſſengers, that in ſuch caſe it ſhall and may be lawful for the ſaid Meſſenger ſo attaching the ſaid Perſon or Perſons, to take of every ſuch Perſon the Sum of Two pence for every Mile he ſhall go or ride for the ſaid Perſon or Perſons ſo offending, and Twelve pence for the Attachment of the ſaid Perſon offending.

And be it further Ordained, That it ſhall and may be lawful for the Regiſter, Accomptant or Clerk to the ſaid Committee for the taking of the Accompts of the whole Kingdom, and their Sub-committees reſpectively to take from every Perſon that ſhall be found in Arrear, Three Pence for every Sheet that ſhall be written of every Examination or Accompt, and Twelve Pence for every Order which the ſaid Perſon ſo found in Arrear ſhall deſire to have written or Copied out for his Benefit.

And be it further Ordained, That the ſaid Committee for the taking of the Accompts of the whole Kingdom, and the Sub-committees reſpectively, or any two of them, ſhall have power and authority to adminiſter to every Regiſter, Accomptant, Meſſenger, or other Officer or Perſon imployed, an Oath for their and every of their faithful Demeanor, the Tenor whereof followeth.

I A. B. do Swear, That according to my beſt skill and judgment, I ſhall faithfully, diligently, and truly demean my ſelf in the Office of or other Employment wherein I ſhall be imployed by the Committee for the taking of the Accompts of the whole Kingdom, or by any Sub-committee for taking the ſaid Accompts.

And it is further Ordained, That the Sub-committee of Accompts of each reſpective County and City, or any Five or more of them ſhall have full power and authority to ſend into any other County or City, and to cauſe all Perſons accomptable for any Moneys or Goods received or taken in the County of which they are Sub-committees (not being a Peer, Aſſiſtant or Officer of the Houſe of Peers, or Member or Officer of the Houſe of Commons), to appear before them for the Examination of their former Accompts according to this and the ſeveral Ordinances, unleſs the Committee for taking the Accompts of the whole Kingdom ſhall give Order to the contrary.

And be it further Ordained, That if any Perſon or Perſons named, or to be named of any Sub-committee of Accompts, according to the ſaid ſeveral Ordinances of Accompts, or which ſhall be named Treaſurers according to this Ordinance, ſhall refuſe to take upon them the ſaid reſpective Employments, or to take the National Covenant, upon Certificate of the ſeveral Names to the Houſe of Commons, by the Committee for taking the Accompts of the whole Kingdom, they ſhall receive ſuch puniſhment as the High Court of Parliament ſhall think fit.

Much

20 *Caroli.*

The Lord *Saville* accuſes Mr. *Hollis* and Mr. *Whitlock*, *July* 2.

Much about the beginning of this Year 1645. the Lord *Savile*, lately created Earl of *Suſſex*, upon ſome diſguſt taken at Court, left *Oxford*, and attended with ſome Gentlemen, came publickly in the day-time into *London*; but being miſtruſted by the Two Houſes, an Order paſs'd on the 31*ſt* of *March*, That in a Week's time he ſhould depart the City, and all the Parliaments Quarters. But he ſtill being willing to continue in the City, did on the 22*d* of *April* take the Oath appointed by the Parliament for ſuch as came in unto them, before the Commiſſioners of the Great Seal: And afterwards was complained of by Mr. *Hollis* touching a Letter pretended to be ſent from *Oxford* to *Hollis*: On which the ſaid Lord *Savile*, for Contempt in refuſing to tell from whom he had that Letter, was committed to the *Tower*. And on the 2*d* of *July* following, Mr. *Gourden*, a Member of the Houſe of Commons, preſented a Letter from the ſaid Lord to that Houſe, with a Paper therein incloſed, deſiring the ſame might be read; which after ſome Debate, being admitted; the Subſtance of the Letter was to ſignify his Affections to the Parliament, to whom he had come from the King, and ſubmitted himſelf, and taken the Oath enjoined: In obſervance whereof, and of his Duty to the Parliament, under whoſe Protection he was, he held himſelf obliged to diſcover to them what he knew concerning Two of their Members, who had acted contrary to their Truſt, and to the Prejudice of the Parliament, in the matters in that Paper contained: Which Paper ſet forth, That *Mr.* Hollis *and Mr.* Whitlock *being Perſons well-affected to the King and his Cauſe, were nevertheleſs Two of the Parliaments Commiſſioners lately ſent to* Oxford *to his Majeſty, with Propoſitions for Peace: And did there, contrary to their Truſt, and to the Parliament's prejudice, treat and adviſe with the King, and ſome great Lords about him, namely, the Earl of* Lindſey, *the Earl of* Southampton, *and others, about the King's Anſwer to thoſe Propoſitions; and did give a Paper in writing, wherein they adviſed what the King's Anſwer ſhould be: Which Advice of theirs was followed by the King, and ſome of the very Words thereof made uſe of in his Majeſty's Anſwer. And that both before and after that time, they held Intelligence and Correſpondence with the King and the Royal Party at* Oxford, *&c.* Whereupon ſeveral moved, That *Hollis* and *Whitlock* might make a preſent Anſwer to this Charge: And *Hollis* in his place made his Anſwer to the matter of the Paper, denying any ſuch Intelligence or Correſpondence: And *Whitlock* being that morning out of Town, Mr. *John L'Iſle* acquainted the Houſe, That Mr. *Whitlock* being then abſent, if they pleaſed, he would undertake to give him notice to attend the next day; which was ordered; and *Whitlock* then attending accordingly, the ſaid Letter and Paper were again read; whereunto he in his place ſpake by way of Anſwer as followeth:

Whitlock's Speech, in anſwer to the Lord *Savile's* Paper, *July* 3.

Mr. Speaker,

I Am happy, ſince I muſt be under an Accuſation (which is no mean thing) in this Honourable Houſe, that this Gentleman, my Lord *Savile*, is my Accuſer; and more happy, that You, to whom I have been ſo long a Servant, and who know my ways ſo well, are to be my Judges. I ſhall ſay nothing concerning my Lord *Savile*, becauſe he is my Accuſer; but to the parts of his Accuſation I ſhall give you a ſhort and true Anſwer, with all Ingenuity and Submiſſion to your great Judgment.

His firſt part of the Accuſation is, That *I was a Perſon well-affected to the King*: But he gives no Inſtances thereof; nor is it a Crime to be well-affected to my Sovereign; we have all expreſſed the ſame in our Covenant. I could give ſome Inſtances to the contrary effect; as the Plunder of my

An. 1645.

Goods, ſeizing the Profits of my Lands, indicting my Perſon of High-Treaſon for ſerving you, and giving away my Inheritance to Sir *Charles Blunt* a Papiſt; which are no great Motives to an extraordinary Affection, more than a Subject is obliged to towards his Prince. But if my Lord *Savile* means by well-affected to the King, my being well affected to Peace; I confeſs I am a paſſionate Lover of a good Peace, and Seeker of it, and thereby have teſtified my Affection both to King and Parliament; and the longer our Troubles continue, the more we ſhall all be of this Opinion and Affection. *Sir*, I hope I may be thought capable to know my Duty to my King, and to underſtand what Protection I was to have from him; the mutual Relations of both; and further I hold my ſelf diſoblig'd.

The Second Accuſation is, That *I met at the Earl of* Lindſey's *Lodgings in* Oxford, *to Adviſe about the King's Anſwer to your Propoſitions; and that I there did give Advice to the King, contrary to the Truſt repoſed in me by you.* To this I anſwer, That when your Commiſſioners came to *Oxford*, we conſulted together what (amongſt other things) was fit for us to do in point of Civilities and Viſits whilſt we were there; and it was agreed by us all, That we ſhould not viſit any that were excepted in your Propoſitions; but that we might viſit others who did viſit or ſend Viſits to us. The Earl of *Lindſey* ſent to viſit Mr. *Hollis* and Me with a Complement, That he was not well, elſe he would have come to viſit us at our Lodgings. And I having a particular Relation and Alliance to him, we went together to return a Viſit to his Lordſhip, and told our Fellow-Commiſſioners of our Intentions, before we gave the Viſit, and they approved of it. When we came to the Earl's Lodging, we found there the Earl of *Southampton*, the Lord *Savile*, and ſome others; but it was ſo far from an appointed Meeting, that I knew not of their being there, till I ſaw them in the Chamber. There was much Diſcourſe amongſt us about your Propoſitions, and they urged the Unreaſonableneſs of them: We affirmed the contrary, and vindicated your Honour in them. There was alſo Diſcourſe concerning the *Scots* Commiſſioners, whom they affirmed to be averſe to Peace; we aſſured them that they were not, but willing to have a good Peace. There was likewiſe upon this occaſion, Diſcourſe of the Presbytery, and of the Point of *Jure Divino*: We told them that the *Scots* were off from the rigid Presbytery, and did not inſiſt upon the Point of *Jure Divino*. They were then likewiſe diſcourſing of Tumults, and of Perſons and Petitions brought to *Weſtminſter* in a violent and diſorderly manner. We did not ſpeak of any violent Independent Party; nor any the Words mentioned in my Lord *Savile*'s Paper; nor that the Propoſitions were unreaſonable: They indeed preſſed much upon that Argument, That they were unreaſonable; particularly the Propoſitions concerning Religion and the Militia: We told them, That unleſs the King would grant thoſe Propoſitions, it would be in vain to Treat of any Peace. There was alſo much Diſcourſe about the acknowledging You to be a Parliament: The Earl of *Lindſey* ſaid, That the King had acknowledged you a Parliament, by the words, *Lords and Commons of Parliament*. We anſwered, That this was the ſame Stile his Majeſty gave to the Aſſembly at *Oxford*, and we could not be ſatisfied with that Acknowledgment. Then the Earl of *Lindſey* demanded of us, How we would be Acknowledged? We told him, thus; *The Lords and Commons Aſſembled in the Parliament of* England *at* Weſtminſter.

After this we returned to our Lodgings, and acquainted our Fellow-Commiſſioners with the Perſons that were at the Earl of *Lindſey*'s Chamber when we were there, and with the matter of our Diſcourſe with them. In all our Diſcourſes, Mr. *Hollis* and my ſelf did juſtify your Propoſitions, and vindicate your Proceedings. *Mr. Speaker*, It is no ſmall trouble to my Thoughts, to have my Name queſtioned in this Houſe; but I am comforted in my own Integrity and Innocency, and in my Accuſer, but chiefly in my Judges.

Whitlock having ended, the Houſe fell into Debate, Whether this Paper from the Lord *Savile* were an *Accuſation* or *Charge* againſt them: For ſeveral Gentlemen argued, That it was againſt the Privilege of the Houſe to take it for an *Acccuſation*, being from *an Enemy come from the King's*

20 Caroli.

King's Quarters, and one in Contempt to both Houſes of Parliament, for refuſing to name the Perſon from whom he received a certain Letter concerning Mr. *Hollis*; and therefore committed cloſe Priſoner. For he had not diſcovered this for ſeveral Months time, during which he had been in the Parliaments Quarters; but after he had been complained of by Mr. *Hollis* about a Letter, and Mr. *Whitlock* was in the Chair of the Committee appointed to examine that buſineſs, then the Lord *Savile* brought in a new Accuſation both againſt *Hollis* and *Whitlock* the Chairman, to take off his Teſtimony for Mr. *Hollis*. Others moved, That this Buſineſs might be committed, to ſee if the Lord *Savile* would avow his Letter and Paper, and by what Teſtimony he could make it good; and that Mr. *Hollis* and Mr. *Whitlock* might be cleared from, and have Reparation for this Aſperſion: So at laſt it was referred to a Committee to be examined in the general; and power given to the Committee to examine any Member of this Houſe: And a Meſſage ſent to the Lords, to deſire that the Lord *Savile* might be examined at this Committee.

The Committee met, and Mr. *Samuel Brown* had the Chair: Where the Lord *Savile* own'd the Letter and Paper as his, and his Hand to be to them; adding, That he *would juſtify them to be true upon his Soul and his Life*; but when put to it, could not make out the Particulars, more than what they acknowledged, by any other Evidence; ſo that after ſeveral days canvaſſing the matter, and hearing of the Earl of *Denbigh*, the Lord *Wenman*, and others of the Commiſſioners that went with them to *Oxford*; and eſpecially, for that depending the buſineſs, the *Scots* Commiſſioners had intercepted certain Letters and Papers of the Lord *Savile's*, which he was ſending to *Oxford*; the chief Scope whereof was to be informed from thence, whether *Hollis* or *Whitlock* kept Intelligence with the Duke of *Richmond*, the Earl of *Lindſey*, or any others of the King's Party: Which being brought, and read in the Houſe, and thereby ſomewhat of a Deſign being ſuſpected to be in the bottom of this Proſecution; and the whole matter being reported to the Houſe, and there re-examined, the Houſe in fine, after very high and long Debate, voted, That *it not appearing that Mr.* Hollis *and Mr.* Whitlock *had done any Diſſervice in their Proceedings at* Oxford, *Therefore the Remainder and whole matter of the Report concerning them, ſhould be laid aſide, and no further proceeded in: And that the ſaid Mr.* Hollis *and Mr.* Whitlock *ſhall have liberty to proſecute (if they pleaſe) the Lord* Savile, *now Priſoner in the* Tower, *for Damages.*

Hollis and *Whitlock* acquitted.

Die Martis, July 8. 1645.

An Ordinance of the Lords and Commons Aſſembled in Parliament, for the raiſing and collecting of Ten thouſand Pounds, for and towards the Redemption of diſtreſſed Captives.

WHereas by an Act made this preſent Parliament, entituled, *An Act for the Relief of the Captives taken by* Turkiſh, Mooriſh, *and other Pyrates; and to prevent the taking of others in time to come*; a Subſidy of One *per Cent.* was impoſed on all Goods and Merchandize exported out of, or imported into this Kingdom of *England*, and Dominion of *Wales*, which was to be one firſt part more than the Cuſtoms and Subſidy of Tonnage and Poundage, according to the Book of Rates: Since the paſſing of which Act, the Houſe of Commons by Order of the 10*th* of *March*, 1641. for divers Reaſons did order, That Bonds ſhould be taken by the Collectors of that Duty, to ſtand to the Order of Parliament. And whereas both Houſes of Parliament, intending to carry on that good Work, did on the 24*th* of *October* 1644. order,

Ordinance for Redemption of Captives, *July* 8. 1645.

An. 1645. That only one fourth part of the Monies due by the ſaid Bonds, being One Shilling in every Twenty Shillings Cuſtom, ſhould be paid by the reſpective Merchants of the City of *London*; having by their Petition ſet forth the great Inconveniences that might happen, as well in relation of the Advancement of the Work, as to the unequal Burthen that might reſt upon the well affected Merchants, in regard ſundry Perſons ill-diſpoſed to that Work, and diſaffected to the Parliament, did, during the time of the ſaid Act, make ill uſe of the Favour of the Parliament, and did fraudulently make Entry of their Goods in the Names of inſolvent and unknown perſons, by whom Bonds were likewiſe ſealed: And the Duty being now required, no ſuch Perſons appear, nor Moneys can be collected for carrying on of that Work: Yet the ſaid well-affected Merchants being deſirous that the Work might go on, are ready not only by way of Advance forthwith to pay in all ſuch Moneys as they themſelves owe upon thoſe Bonds, but likewiſe willing to diſcover the Fraud in thoſe ill-affected Perſons, and to uſe their beſt Endeavours to recover in the Moneys due upon ſuch Bonds, ſo as they might be enabled by an Ordinance of Parliament, for continuance of that Duty of One fourth *per Cent.* for another Year, to reimburſe themſelves out of the one Moiety of the Collections of that Duty, or otherwiſe all ſuch Moneys as they ſhall pay in and advance as aforeſaid. It is therefore ordained by the Lords and Commons aſſembled in Parliament, That *Samuel Avery*, Eſq; Alderman of the City of *London*, *Walter Pell*, *Robert Lowther*, *Rowland Wilſon* Senior, *Thomas Hodges*, *William Methold*, *Edmund Caſon*, *Robert Abdy*, *Samuel Mico*, *Charles Snelling*, *Richard Legg*, *Thomas Rich*, *Jonathan Andrews*, *Nathanael Wright*, *Thomas Burnel*, *Richard Chiverton*, *Nathan Wright*, *Richard Hill*, *Benjamin Delannoy*, *William Vincent*, *Henry Hunt*, and *Hugh Wood*, or any Three of them, ſhall be a Committee, and have Power to receive from the Chamberlain of *London*, who is hereby required to deliver all ſuch Bonds of Merchants heretofore taken for the ſatisfying of that Duty, by virtue of the ſaid Order of the 10*th* of *March*, 1641. And ſhall have further Power to receive all Moneys due upon the ſaid Bonds from the ſeveral Merchants, according to the Rule following: That is to ſay, Of all ſuch Merchants that ſhall before the 24*th* of *July* next, voluntarily pay in the One fourth part of the One *per Cent.* in obedience to the Ordinance of the 24*th* of *October*, 1644. upon their ſaid Bonds they ſhall accept thereof, and deliver up their Bonds cancelled to the reſpective Merchants. But of all others which ſhall refuſe to accept of the Benefit of this Ordinance, and to pay in their Moneys on their Bonds by the day preſcribed; or any others that they ſhall diſcover fraudulently to have made their Entries in unknown Names, to elude the Ordinance of Parliament; that they ſhall have Power to require and receive the whole Duty of One *per Cent.* or the whole Penalty of the ſaid Bonds, as they ſhall think fit. And if any ſhall refuſe upon demand to make ſuch Payment, then to levy the ſame by Diſtreſs upon the Goods and Eſtates of ſuch Perſons, and the ſame to ſell and diſpoſe of, for the ſatisfaction of the ſaid Bonds; and the Overplus, if any ſhall be, to return it to the Parties ſo refuſing. And for the better executing of this Service, they ſhall have Power to ſend for Parties, Witneſſes, other than Peers, Papers, and Records, at a certain time and place, where they ſhall conſtantly ſit. And it is further ordained, That after the Sum of Ten thouſand Pounds ſhall be raiſed and collected upon the ſaid Bonds, for the carrying on the ſaid Work, ſuch Merchants as ſhall on or before the ſaid 24*th* day of *July*, pay in their ſaid Moneys in obedience to this Ordinance, ſhall be repaid the ſame out of the Surplus of ſuch Moneys as ſhall ariſe upon the ſaid Bonds, in turn as they did pay in their Moneys: And what part ſhall be wanting for the full Reimburſement of every particular Merchant, ſhall be paid out of the one Moiety of the Receipts that ſhall be collected in the Port of *London*, on an Ordinance of Parliament paſſed this preſent day, for the Continuance of the ſaid Duty of One fourth of One *per Cent.* from the 10*th* of *December* next incluſive. Provided if any Merchant ſhall not pay in the Money due by his Bond, on or before the 24*th* of *July* as aforeſaid, ſhall not enjoy the Benefit of this Clauſe, or any thing in this Ordinance contained.

And

And it is further ordained, That this Committee shall have Power to appoint a Treasurer to receive and issue out all such Moneys as shall be collected on the said Bonds, as he shall receive Order from time to time, from the Committee of the Navy appointed by Parliament, which shall be to him a sufficient Discharge; and to employ such other Person or Persons in the Execution of this Service, and to give such Reward for their Care and Pains, as to them, with the Approbation of the Committee of the Navy, shall be thought fit.

Lastly, it is ordained, That if after the 24*th* day of *July*, any person or persons shall be discovered eluding of the said Ordinance of Parliament for the Payment of that Duty, to have made fraudulent Entries, and to cause Bonds to be given in the Names of unknown or insolvent persons, such persons so discovered shall be liable to the Penalty of the said Bonds, and to such further Punishment as shall be thought fit by Parliament to be due to Offences of that nature: One Moiety of the said Fine and Penalty shall be to such person or persons that shall make such Discovery; and the other Moiety to the State, to be employed to and for the Redemption of the said distressed Captives. And the Committee of the Navy are to take care for the putting this Ordinance in Execution, and to give such further Instructions from time to time, as shall be needful for the better carrying on of this Service.

Die Veneris, 11. *Julii*, 1645.

Committee appointed by Parliament to receive the Moneys due on the Bonds for Redemption of the Captives in Algiers.

WHereas both Houses of Parliamenr have by their Ordinance dated the 8*th* day of this present Month, for several Reasons mentioned and contained in the same, appointed this Committee to receive in all Moneys due upon Bond taken upon the Duty of One *per Cent.* for Redemption of Captives in *Algiers*, &c. from Merchants, according to this Rule; *(viz.)* Of all who shall voluntarily bring in their Moneys on or before the 24*th* present, One fourth part of One *per Cent.* And if any shall refuse to accept of the Benefit thereof, or seek to elude the said Ordinance, that then they shall be compelled to pay the said whole Duty of One *per Cent.* or the whole Penalty of the Bonds; the same to be levied by Distress. And if any Money shall be Overplus, after 10000 *l.* first deducted out of the Moneys arising on the said Bonds, the same shall be Repaid unto such Persons as shall pay in their Moneys before the said 24*th* of this Month: And if such Remainder will not fully reimburse them, then they shall be paid what remains, out of the Moiety of the Moneys that shall be collected on the Ordinance now passed for Continuance of the said Duty of a Fourth part of One *per Cent.* from the 10*th* of *December* next, unto the 10*th* of *December* 1646.

In pursuance therefore of the Commands of both Houses of Parliament for the carrying on of this so pious a Work, This Committee doth think fit hereby to publish, That they intend and do appoint to meet constantly every day at *Merchant-Taylors-Hall*, between the Hours of Three and Six in the Afternoon. And hereof all whom it doth or may concern, are to take Notice accordingly.

Samuel Avery, Robert Lowther, Walter Pell, Rowland Wilson Senior, *Thomas Hodges, William Methold, Edmund Cason, Robert Abdy, Samuel Mico, Charles Snelling, Richard Leg, Thomas Rich, Jonathan Andrews, Nathanael Wright, Thomas Burnel, Richard Chiverton, Nathan Wright, Richard Hill, Benjamin Delannoy, William Vincent, Henry Hunt, Hugh Wood.*

A Decla-

An. 1645.

The Parliament's Declaration to the States General. *Aug.* 5. 1645.

A Declaration of the Parliament of England: *Written to the High and Mighty Lords,* The Lords States General of the United Provinces of the Low Countries: *Concerning their laſt Embaſſy Extraordinary into* England.

High and Mighty Lords,

THE Lords and Commons aſſembled in the Parliament of *England*, taking into their Conſideration the late Embaſſy directed from your Lordſhips unto them; and well knowing by the ſucceſſive Tranſaction of Affairs between this Kingdom, and the States of the *United Provinces of the Low Countries*, as by the notable Aſſiſtances given and received againſt the Enemies of each other, that from the very beginning of the Reſtoration of the Liberty of that Republick, even unto this time, there hath been a firm Union, and conſtant Intercourſe of Friendſhip and real Affection between this Kingdom and that State; and that the mutual Expreſſions thereof, by many Actions which each hath performed for the Good and Welfare of the other, have been by the Bleſſing of God very ſucceſsful for procuring great Additions of Happineſs unto both. And conſidering that the ſame Profeſſion of the true Reformed Proteſtant Religion, the Advantages of Traffick and Aſſiſtance, by reaſon of Situation, Commodities and Shipping, and the ſame common Enemies to both, which were the common Intereſts of Religion and State, that firſt combined them in this happy League, do ſtill continue: And that therefore upon the Obſervation of God's Bleſſing, and of the long Experience of the Fruits and happy Effects of it, they ought in reaſon be much more powerful now for the continuation thereof, than they were in the beginning; they have thought good to let your Lordſhips know, That as this pious and Strict Alliance was derived from their Anceſtors unto them, ſo they have nothing more in their Wiſhes and Deſires, than that the ſame may from themſelves be tranſmitted unto Poſterity, to be continued without intermiſſion from Age to Age, if God ſo pleaſe: And would have your Lordſhips reſt aſſured, That they will never willingly do any thing, nor ſuffer any thing to be done, if in their power, which may tend to the diminution thereof in the leaſt degree: But ſhall on the other ſide take all occaſions to let your Lordſhips know how much they deſire that by their means a foundation may be laid, if poſſible, of greater Aſſurances, and of a nearer Conjunction than heretofore hath been. And as they have herein manifeſted their own Intentions and Deſires; ſo they would have your Lordſhips further know, that they nothing doubt, but that your Lordſhips have the ſame, and that they look upon that Embaſſy as a clear Teſtimony thereof, and as proceeding from thoſe good reſpects which you have conſtantly born unto the Peace and Welfare of his Majeſty, and of all his Dominions; for which they return unto your Lordſhips their moſt hearty Thanks. And although when they call to mind their own Demeanor in all the Paſſages of the Negotiation upon that Embaſſy, and their Sincerity therein towards your Lordſhips and that State; they have no Cauſe to believe that your Lordſhips do conceive otherwiſe thereof, than that they have therein expreſſed themſelves with all due Reſpects unto your Lordſhips, and ſuch as might juſtly be expected from ſo good Friends, then engaged in a buſineſs intended and undertaken by you only for their good: Yet in regard the Embaſſy hath not produced the happy Ends intended by your Lordſhips, and which the Houſes of Parliament moſt earneſtly deſired and thirſted after (the compoſing the great Diſtractions within his Majeſty's Kingdoms); and in regard they have ſome cauſe to fear that the Proceedings on the part of the Parliament have been or may be repreſented unto you in ſuch manner as may cauſe ſome doubts in your Lordſhips, as well concerning their Carriage therein towards your Lordſhips, as concerning the Reality of their Endeavours for obtaining a ſafe and well-grounded Peace: They conceive themſelves bound to endeavour as much as in them lies, the prevention of any Miſtakings or Miſunderſtandings from your Lordſhips in matters of ſo high and tender a concernment: And therefore becauſe they know no better or more likely way for the preſent to effect

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theſe their deſires, than to acquaint your Lordſhips with the truth of all the proceedings between themſelves, and the Honourable Perſons ſent from you upon that Embaſſy, and with the true Reaſons and Grounds thereof, they have made a Collection and true Narration of them as followeth.

When we firſt heard of the Arrival of your Ambaſſadors here, which was about the beginning of *January*, 1643. Although we knew not whether your Lordſhips had ſent them to the King, or Parliament, or to both; yet we received them with the Civilities and Reſpects which have been accuſtomed in the Entertainment of ſuch Ambaſſadors as have been moſt welcome to this Kingdom: After many Weeks ſtay in *London*, they went to *Oxford*, without any Addreſs to the Parliament, or other intimation of their Intentions, ſave only that they meant firſt to repair to his Majeſty, then at *Oxford*; and after about ſix Weeks abode there, they returned hither again; and upon the 18*th* of *March*, 1643. delivered a Paper to each of the Speakers of the Houſes of Parliament, with a Memorandum to that delivered to the Speaker of the Houſe of Peers, in theſe words; 'Delivered by the Ambaſ-'ſadors of the Lords Eſtates, unto *Monſieur* the Baron *Grey of Wark*, Speaker, 'to be committed to the Lords of the Parliament, this 14*th* day of *March*, 1643. The other to the Speaker of the Houſe of Commons, with a Memorandum in theſe words, 'Delivered by the Ambaſſadors of the Lords 'Eſtates unto Mr. *William Lenthal*, Speaker, to be communicated to the Srs 'Commons of Parliament, this 14*th* of *March*, 1643.

To the matter of theſe Papers, the Lords and Commons could give no Anſwer, in reſpect they were not addreſſed to them in ſuch words, either for the matter or manner, as that they could legally, and according to the courſe of Parliament, take notice of them as directed to themſelves. And although they did not at this time, nor had at any time before, tendered any Letters of Credence from your Lordſhips to either of the Houſes, the ſame not being done until the Twelfth of *July* next following; Yet in regard the Papers purported an Embaſſy from your Lordſhips, they were readily received by the Lords and Commons; who were very much grieved that any thing ſhould make them uncapable of giving a ſpeedy and ſatisfactory Anſwer. And that pretence of miſtakes through want of knowledge of the Stile or manner of Addreſſes, might be taken away, the Houſes were willing that ſome of their Members ſhould repair to the Ambaſſadors to acquaint them therewith; who did accordingly, and left the ſame in writing with them; Although the Houſes had cauſe to believe, that the Ambaſſadors were not ignorant, that other Ambaſſadors from the *French* King, having tendred Papers to the Houſes, and in the Addreſs, (the ſame in ſubſtance with this) received no Anſwer to the matter of them. The Houſes after long expectation received nothing from the Ambaſſadors, and therefore the Eighth Day of *April*, 1644. returned this Anſwer to their Paper.

'That the Lords and Commons aſſembled in the Parliament of *England*, will 'always with due reſpect acknowledge ſuch affections as from the Lords the 'States General of the *United Provinces* of the *Low Countries*, ſhall at any time 'be Expreſſed to the King and his Kingdoms; profeſſing that they deſire 'nothing more, than ſuch a Peace as may as well procure Honour and 'Happineſs to the King, as the preſervation of the true Reformed Religion, 'the privileges of Parliament, and the liberty of the Subjects in His Majeſties 'three Kingdoms, according to the late Solemn League and Covenant; And 'when they ſhall from and in the name of the ſaid Lords the States Gene-'ral of the *United Provinces*, propoſe any thing to the Lords and Commons 'aſſembled in the Parliament of *England*, they will do thereupon that ſhall 'be fit.

After they had received this Anſwer, there were many Diſpatches and Meſſages ſent and received to and from *Oxford*, by and from them; and upon the 4*th* of *May*, 1644. Ambaſſadors came to the Speaker of the Houſe of Commons, and by him preſented their Service to the Parliament; proteſting their deſires to do good, but that they met with no ſucceſs; and ſo took their leave for *Oxford* again; whereupon the Speaker was appointed to give them a Viſit, and

An. 1645. and a Return of their Reſpects to the Houſe of Commons; which was performed, many of the Houſe of Commons accompanying him unto them.

But when they perceived a conſiderable Army (raiſed by Authority of Parliament) to come near unto *Oxford*, where they then were with the King, they came out with White Flags before them, and moved the Earl of *Eſſex*, the General of the Parliaments Forces, for a Treaty, to compoſe the differences between his Majeſty and the Parliament: His Excellency aſſured them (which we doubt not but they very well knew before) that it belonged only to the Parliament to appoint ſuch a Treaty: With which Anſwer, after civil Entertainment, they returned again to *Oxford*; and from thence they came with their White Flags, which were ſtill carried before them all the way as they paſſed, even in this City of *London*, which (notwithſtanding the bad effects that ſuch carriage might have produced, and eſpecially in the Army) they were willing to paſs by; as alſo the bringing of ſome perſons in their Train from *Oxford*, that durſt not otherwiſe ſee *London*; becauſe they did in truth moſt really deſire that to which themſelves and their Flag ſeemed ſo much to pretend.

After their return hither, about the 19*th* of *June*, 1644. they ſent Meſſages to the Houſes, that they had ſome thing to deliver unto them from your Lordſhips; Whereunto about 2 or 3 days after, this Anſwer was ſent them; 'That the Houſes did expect that they ſhould make their demand of Audi-'ence in Writing, with which if the Houſes reſted ſatisfied, that they would 'come to them as to the Parliament of *England*, Audience ſhould be given 'them in each Houſe apart. Which they did by their Writing, Dated the 5*th* of *July*, whereby they preſented their Deſires as to the Lords and Commons Aſſembled in the Parliament of *England*, and thereupon had Audience given them in each Houſe the 18*th* day of the ſame Month, with a moſt Honourable and Reſpective Reception. At the ſame time they deliver'd their Letters of Credence from your Lordſhips, and offered their Interpoſition and Mediation for compoſing of the Differences between his Majeſty and the Parliament, which they left in Writing, together with a Memorial for reparation of Damages ſuſtained by ſome Merchants and Maſters of Ships of the *United Provinces*, in their Ships and courſe of Trading, with deſire that Commiſſioners might be appointed for ſetling of the things complained of.

In ſatisfaction to their deſires concerning the Ships and Trading, The Houſes the 24*th* of the ſame *July*, did make a Committee, conſiſting both of Lords and Commoners, to take the ſame into conſideration, with liberty to confer with the Ambaſſadors touching the matters under complaint. Of the proceedings of the Houſes concerning this of the Ships, they intend to give particular and ſpeedy notice to your Lordſhips, and to do that therein which they hope ſhall give full ſatisfaction.

To their other Paper concerning their Mediation, the Houſes returned this Anſwer the Sixth day of *December* after;

'The Parliament of *England* do with all reſpectful Gratitude acknowledg the 'great and good Affection of the High and Mighty Lords, the *States General* 'of the *United Provinces*, expreſſed by their Ambaſſadors, towards the good 'Peace and happineſs of theſe his Majeſty's Dominions, and the Parliament; 'As alſo their friendly offer to interpoſe, and uſe their beſt endeavours for 'the effecting thereof, in caſe it be ſo deſired. Nor had there been ſo much time intermitted here, in the maintaining and ſeeking of Peace, having ever been our chief Aim; had we not before this offer of your Ambaſſadors, put our ſelves in a way of ſeeking to his Majeſty to reobtain a well grounded Peace, by preparing certain Propoſitions tending thereunto; which upon the common Intereſts of both Kingdoms, have until of late remained in the hands of the State of *Scotland*; and being returned from thence, are lately ſent and preſented by a Committee of both Kingdoms to his Majeſty, from whom we hope to receive a Gracious Anſwer, they tending both to his own, and alſo his Peoples good. However, we cannot but expreſs our due ſenſe of the good Reſpect from the High and Mighty Lords and States General of the *United Provinces*, to this Kingdom, in their deſires to advance the happy Peace, which will have ſo great an Influence into the future good

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or evil of all profeſſing the Proteſtant Religion; in particular, the High and Mighty States of the *United Provinces*, whoſe Proſperity, as our own, we ſhall with all true Affection promote.

Although the deſired Mediation be not hereby admitted, yet they hope the ſame will not ſeem ſtrange to your Lordſhips, when you ſhall conſider the poſture of our Affairs both at the time of their Audience, as likewiſe of this Anſwer, That the Two Kingdoms were united by ſolemn Covenant made to Almighty God, and by League each to other, as one entire Body, to proſecute this Cauſe; and that in purſuance thereof, Propoſitions for a ſafe and well-grounded Peace, were then preparing in a joint way, by the Parliaments of both Kingdoms; which they believe was not unknown unto the Ambaſſadors at the time of their Audience. As alſo when your Lordſhips, from what formerly hath been ſet forth, concerning their not acknowledging them the Two Houſes of Parliament until about Six Months after their coming into this Kingdom, and from their Carriage otherwiſe, ſhall conſider that they had juſt cauſe to ſuſpect that they did promote the Deſigns of the Enemies to the Parliament. For in this particular they may well believe that that which is ſo notoriouſly known to all who do but live amongſt us, was likewiſe known to them, That this Parliament was ſummoned according to the Fundamental Laws of the Realm, and made indiſſoluble ſave only by Act of Parliament, by a Law paſſed this Parliament with his Majeſty's Conſent; and when their Letters of Credence from your Lordſhips, which were made above Six Months before their acknowledging of the Parliament, directed (as by the Indorſement appears), *To the Parliament of the Realm of England*: And that as themſelves declared, they were charged by your Lordſhips to advance the Protection of the Laws of this Kingdom, without patronizing any Act which might tend to the enfeebling or Deſtruction of the ſame. Whereas their Carriage in not acknowledging of the Parliament in ſo long time, in reſpect that thoſe at *Oxford* have declared againſt it, did bear an Implication of doubt, whether the Laws and Statutes of this Realm were of any force, otherwiſe than according to the Will and Pleaſure of his Majeſty; this Parliament having received the firſt Being by the Common Laws of this Realm, and the Continuance by Act of Parliament; by which only this Kingdom is governed, and without which the whole Frame of Government would be diſſolved. Neither, my Lords, could the Houſes well interpret their employing of one *Dillon*, as one of their Secretaries, and Interpreter, who was a Papiſt, and ſuſpected to have been an *Iriſh* Rebel in the preſent Rebellion of *Ireland*; and who upon all occaſions declared himſelf an Enemy unto the Parliament.

Thus having informed your Lordſhips in part what they did with us; we ſhall likewiſe intreat your Lordſhips to call to mind ſome publick Repreſentations which they have made unto your Lordſhips.

By their Letters from *London*, *December* 16. 1644. Amongſt other things, ſpeaking of the Trial of the late Archbiſhop of *Canterbury*, they ſay, 'Mean 'while the Houſe of Commons is very eager to bring the Archbiſhop of *Can-* 'terbury to his End, as we have formerly ſignified: And though there is no 'Law or Right in *England*, whereby his Actions that are laid to his Charge 'are declared High Treaſon, and worthy of Death; yet hath the ſaid Houſe 'now by an Order declared, that his Actions wherefore he is charged, are 'of ſo high a Nature; and therefore they did deſire that the Upper Houſe 'ſhould alſo give their Conſent to the ſaid Ordinance. But thereupon the 'Lords made ſome difficulty, and yet are deliberating about it: And this 'day ſeven-night the Houſe of Commons ſent one of their Members (by 'Name Mr. *Stroud*) to the Upper Houſe, to deſire the Lords to agree with 'the Commons in the buſineſs of the Archbiſhop of *Canterbury*. And when 'the Lords gave anſwer, They had great Conſideration therein, ſo that they 'muſt not be haſtned; the ſaid Mr. *Stroud* is ſaid to have ſaid, *The People of* 'London *ſhould come to haſten them.*'

The Houſe of Peers concurred in all things with the Commons in paſſing this Ordinance: And it ſeems ſtrange to the Houſes, that Ambaſſadors ſhould be ſo confident that they knew the Laws of this Kingdom better than the Parliament, as to charge them with Injuſtice in putting the Archbiſhop

An. 1645.

to Death: Or that they ſhould have the Houſe of Commons thought to have uſed any undue Carriage to the Houſe of Peers by that Meſſage, when in truth no words in that Meſſage, nor in any other concerning that Ordinance, could bear the ſenſe expreſſed in that Letter, nor any ſenſe to that purpoſe.

In the ſame Letter is this Expreſſion: 'And indeed we cannot but with 'grief here complain, That there is here little Reſpect and Civility ſhewed 'to your Commiſſioners: We have heretofore oftentimes written that we 'might again return into the *Low-Countries*; and expect by the firſt Poſt your 'Highneſſes Anſwer and Reſolution.

'*January* 6. There was alſo on *Sunday* in the Churches publickly prayed, 'That God would not ſuffer to ſucceed the Treaty of Peace betwixt *France* 'and *Spain* at *Munſter*; nor that between *Sueden* and *Denmark*.

'The Common Council of the City of *London* hath lately been changed; 'about which changing there appears no ſign of any Impartialities; ſo that 'it is thought that this new-choſen Common-Council hath no better Inclina-'tion to Peace than the former.

The Common Council of the City of *London*, whereupon the Government of the City doth chiefly depend, is charged at leaſt with Suſpicion of Partiality and Diſaffection to Peace: A heavy Charge is laid upon the Reverend and Pious Divines: Neither of the Houſes have heard of ſuch Publick Prayers, neither do they believe that any ſuch Prayers were uſed by them: And therefore they leave it to your Lordſhips Conſideration, whether the Ambaſſadors had cauſe to ſend this Information.

In the ſame Letter: 'A Herring-Buſſe belonging to the Burgmaſter *Colſter* 'at *Rotterdam*, having been taken by a *Dunkirker*, and again forſaken (be-'cauſe there came near them an *Engliſh* Ship, which the *Dunkirker* did fear 'to be a *Dutchman*) was got here again free, as ſoon as ſhe was brought hither; 'but the Officers of the Admiralty will not now ſuffer her to come away, 'unleſs ſhe pay firſt Cuſtom for the Salt ſhe carrieth; and by ſuch diſhoneſty 'the ſaid Buſſe is already a long time ſtay'd.

My Lords, Whether the Ambaſſadors had not cauſe to have acknowledged a kind and good reſpect in taking of Cuſtom, or Silvage only, of that Ship, rather than to have charged Diſhoneſty upon the Juſtice of the Kingdom, they ſhall make appear to your Lordſhips when they ſhall ſend unto you their Proceedings concerning your Ships and Courſe of Traffick.

January 20. 1645. 'The Lower Houſe hath cauſed the Chamber where 'they ſit in, to be hanged in Tapiſtry, which was heretofore never ſo; it is 'ſaid it is done, that the Lords changing their Chamber, ſhall come and ſit 'in the Houſe of Commons; and ſo to be both together reduced into one 'Body, and the better agree by Number of Votes. When heretofore the 'Parliament was full, then the Lords Chamber did conſiſt of about 126 or 'more Votes, and the Lower Houſe above 500 Votes; and they have always 'been in ſeveral Houſes, and the one could not conclude any thing for a Re-'ſolution of the King, unleſs the other Houſe did alſo conſent; but now 'the King is abſent, and the Upper Houſe ſhould now be melted into the 'Lower; and in the Common Aſſembly of about 26 Lords which are now 'here, and ſome 200 Commoners, ſo the moſt Votes ſhould Rule and Or-'dain all Matters: Thus much we are told, and that it tends to ſhun many 'Diſputes and Hindrances which happen in their Reſolutions every day: 'The Lords remain conſtant to maintain their Right; and ſay, This is to 'take away all their Right and Prerogative; taking away their Houſe, and 'ſo bring all the Power under the Commons.

My Lords, The Commons are charged with Endeavour of altering the Fundamentals of Parliament, by taking away the Houſe of Peers, and melting it into the Houſe of Commons; when as there was never any Debate in the Houſe of Commons concerning any ſuch matter, nor was the ſame ever intended or deſired by the ſaid Houſe. The Proceedings of Parliament are endeavoured to be blemiſhed by the Abſence of the greateſt Number of the Members of both Houſes; when as they might as well informed your Lordſhips, That above Forty of the Houſe of Peers were Papiſts and Biſhops; and that the Biſhops by Act of Parliament, whereto his Majeſty gave his Aſſent,

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Aſſent, are taken out of the Lords Houſe: And that many of the Lords who formerly deſerted the Parliament; yet upon due Conſideration of their Error, they are returned again, though not admitted to ſit. And that the Houſe of Commons doth now conſiſt of a far greater Number than is in that Letter mentioned; above Two hundred and fifty having taken the late ſolemn National Covenant in the Houſes, beſides many that are employed otherwhere in the Affairs of the Parliament; and that many ſince the beginning of this Parliament, which is almoſt Five Years, are dead, and none ſince choſen in their places. The Houſes thought good to let your Lordſhips know thus much, that it might not be conceived from any Expreſſions in this Letter, that the greateſt part of the Members of Parliament had abſented themſelves out of diſlike of their proceedings.

My Lords, Though the Advertiſements were ſince the Anſwer to their deſire of Mediation, yet the Parliament hath farther Cauſe from thence to conceive that they were not then miſtaken; as likewiſe from the Contents of his Majeſty's Letter of the 26*th* of *March* laſt, ſent unto the High and Mighty Lords the *States-General* at the time of the return of the Ambaſſadors from hence, as followeth:

HIgh and Mighty Lords, our good Friends and Allies; By theſe Preſents which Signior Borrel, *and the Lord of* Renſwood, *Baron of* Reed, *will deliver unto you, we do declare more fully the great Subject of Confidence we have taken in the Juſtice and moſt ſincere Amity you our good Friends and Ancient Allies do ſhew us. For though we formerly had knowledge thereof in many ways, yet do we now receive a ſtronger Satisfaction; and we acknowledge to be far more ſatisfied than ever heretofore, with your Zeal for the good of our Perſon, and the true quietneſs of our Kingdoms, by this your employing towards us Two ſo accompliſhed and wiſe Perſons. And to teſtify the Juſtice of our Cauſe, and the Candor wherewith we proceed, we would have, and would yet gladly and willingly remit the diſpoſition thereof, and refer to the Judgment of thoſe of your State, and of that of our other Allies, the Accommodation of the Differences that trouble* England *and our other Realms.*

The ſaid Ambaſſadors have very well learned the Conſtitution of the Affairs here on the one and the other part; they have behaved themſelves with a ſingular Impartiality and Conduct, ſo that we ought for ever greatly to praiſe them. And as at their Arrival they found us moſt ready to admit of their Interpoſition; ſo alſo at their parting they could well diſcern by what they lately did in our Name propoſe concerning the Point of Religion, our Conſtancy and Paſſion for the Peace: And therefore we do not doubt but you will lend us a good hand, with juſt means to attain the ſame; that ſo we may be reciprocally profitable unto you, as we here aſſure you of our moſt hearty deſire upon all occaſions and occurrences. We wiſh you would be pleaſed to hear at large theſe things, and other particulars which we have intruſted to the relation of your ſaid Ambaſſadors. And thus we pray God that he keep you, High and Mighty Lords, our good Friends and Allies, in his holy and worthy Guard. Given at *Oxford*, March 26. 1645.

Your very good Friend, Charles R.

And counterſign'd by his Majeſty's Command, Ed. Nicholas.

To the High and Mighty Lords, our good Friends and Allies, The States-General of the United Provinces of the Low-Countries.

My Lords, That they returned not this Anſwer ſooner, though their Buſineſſes were many and great, yet they would have your Lordſhips to conceive that they deſired to prefer none before the ſhewing of all due Reſpect to your Lordſhips: But they deferred it partly to ſee whether your Ambaſſadors upon further Information of themſelves, would expreſs a more indifferent Carriage: But eſpecially becauſe they were unwilling to give a denial to any thing propounded unto them in the Name of your Lordſhips.

My Lords, We ſhall now go on: About the end of *January* laſt, the Ambaſſadors made ſhew of taking their laſt Leave of the Parliament; and returning

An. 1645. turning again to *Oxford* (as was ſaid) to do the like there, which was about the time of the beginning of the Treaty at *Uxbridge*: But about the breaking up of the Treaty they returned to *London*; and the ſame Morning that the Commons ſent from the Parliament, were expected in the Houſe to give an Account of their Proceedings, which was the 24*th* day of *February* laſt, the Ambaſſadors without any former Demand of Audience, according to the uſual courſe of Ambaſſadors, and as ſhould ſeem by the manner of it, with intent to anticipate the Account of the Commiſſioners to the Parliament that ſent them, came to the Speakers of both Houſes, and preſſed for a ſpeedy Audience that Morning; which being granted, they made theſe Propoſitions concerning the Treaty, and delivered them in Writing.

'Right Honourable, We have heretofore as well particularly as in publick, 'demonſtrated the High and Mighty Lords, our Lords the States General of 'the *United Provinces*, their great Deſires and ſincere Endeavours they con-'ſtantly continue; That in a happy hour they might ſee a good Accommo-'dation betwixt the King and his Parliament, and Peace re-eſtabliſhed in 'theſe Kingdoms.

'And your Honours by your Profeſſions by word of mouth, and of late 'given unto us in writing the 10*th* of *December* laſt paſt, have not only teſti-'fied that the ſaid Deſires and ſincere Intentions of our Lords and Superiors 'were very acceptable unto you; but alſo you added, That your Honours 'did judge the ſaid Accommodation and deſired Peace, did as highly concern 'thoſe that make Profeſſion of the true Proteſtant Religion; and in particu-'lar our Lords and Superiors.

'All theſe Motives ſuppeditated by your Honours, and our Duties, have 'continually wrought in us a very great care to fix an Eye upon his Majeſty's 'Proceedings and Yours: And now lately, upon the Conference and Trea-'ty that at preſent is at hand at *Uxbridge*, where his Majeſty's and your Com-'miſſioners labour (as we hope) with Utility to obtain ſo much deſired 'Succeſs: We muſt alſo ſay, That at our being at *Oxford* we received the 'Honour, that his Majeſty hath ordered to communicate unto us all the Paſ-'ſages of that Conference: And by one and the other, we have obſerved in 'the firſt place, That his Majeſty above all things deſires an Accommodation 'with your Honours: And that his Majeſty entirely inclines to give all man-'ner of Content, and aſſurance of his Affection, in all things which are 'Juſt and Honourable.

'In the ſecond place, We are informed, That by the Anſwer to the Pro-'poſitions of your Honours touching the Point of Church-Government, the 'Perſonal Exceſſes that may have been committed heretofore, were not to 'be feared for the future.

'Thirdly, That if in the Form of Government it ſelf, and the Exerciſe 'thereof, and the Juriſdiction therein comprehended heretofore, any thing 'was to be excepted againſt; your Honours can judge if that be not pre-'vented, by means of thoſe Offers his Majeſty hath made to that end.

'And notwithſtanding, S*rs*, we have ſeen that the Point of Church-Go-'vernment was yet behind, and without Accommodation; wherefore we 'have been moved to conſider more exactly how your Honours in this Point 'might deſire any other or further Satisfaction: And we are obliged to ſay, 'That this Conſideration is fallen out ſo well, that his Majeſty hath declared 'unto us, and permitted us to communicate unto you, That if your Honours 'are not contented with that which he hath offered by his Commiſſioners at '*Uxbridge* unto yours there, that his Majeſty out of Abundancy is contented 'that a National Synod may be called and aſſembled, and thereunto the De-'puties of all other Proteſtant Churches of *Europe* invited for their Advice: 'Which Synod ſhall examine all that which concerns the Point of Religion 'in the ſaid Government of the *Engliſh* Church, that might be contrary to 'the Word of God, whether in part or in general; That his Majeſty is con-'tented to correct and redreſs it accordingly. And by that means, as by a 'common Conſent of all thoſe that make the ſame Profeſſion of Faith and 'Religion, to put a good end to all theſe preſent Diſtractions.

20 *Caroli.*

At this time they knew that the Parliament had not admitted of their Interpoſition: They knew that both the Kingdoms were mutually engaged in the Propoſitions and Treaty thereupon; and that neither could admit of their Mediation, without conſent of the other. But they will enforce it upon the Parliament; which if accepted, they knew might give cauſe of Exception to the Kingdom of *Scotland*; to which Kingdom they never made any Addreſs for their Interpoſition.

The Matter of the Paper carries a ſhew of making themſelves Judges of the Propoſitions treated upon; and inclines the Juſtice and Moderation upon the whole Cauſe to the other ſide, which only they had heard.

Their Propoſitions likewiſe imply, That his Majeſty hath offered that concerning Church Government, which might in reaſon have given Satisfaction: Although the Government by Biſhops in this Kingdom ſhould have been conſented unto, contrary to the late Solemn and National Covenant which they knew both the Kingdoms had made and entred into: The Correction and Redreſs of which Government in *England*, is the whole matter for which the National Synod of all the Proteſtant Churches in *Europe* is by them propoſed. It is to be obſerved, that they propound the Correction and Redreſs of this Government in the *Engliſh* Church, by that National Synod, as a means, by common Conſent of all thoſe that make the ſame Profeſſion of Faith and Religion, to put a good end to all theſe preſent Diſtractions: When they are not ignorant, that this Government is not to be exerciſed within the Kingdom of *Scotland*, being wholly taken away by Act of Parliament, whereunto his Majeſty hath given his Royal Aſſent. And that not only that Kingdom, and the Members of both Houſes of Parliament here, but alſo many Thouſands of others his Majeſty's Subjects of *England* and *Ireland*, ſtand bound by their late National Covenant to endeavour the Extirpation of the Church Government by Biſhops, intended in that Paper, both in *England* and *Ireland*, and to hinder the ſetting of it up again in the Kingdom of *Scotland*. Neither do they conceive how the continuance of any Epiſcopal Government in this Realm, though moderated, ſhould (in the Ambaſſadors Apprehenſion) cauſe a nearer Union with the Churches of the *United Provinces* of the *Netherlands*, or any the Neighbouring Proteſtant Churches; the ſame not being exerciſed in them.

And in reſpect that the Ambaſſadors knew that the Aſſembly of Divines which the Parliament had called, and which is aſſiſted by Pious and Learned Divines from the Church of *Scotland*, had ſate Twelve Months and upwards, before this Propoſition of theirs was made; and that they might well know that the Aſſembly was to adviſe the Parliament not only in Church-Government, but in framing a Publick Directory to be uſed in the Worſhip of God, in a Confeſſion of Faith, and in a Catechiſm: Theſe to be had and uſed in his Majeſty's Three Kingdoms: And that they had finiſhed ſome of them, and had made a great Progreſs into all the reſt. They cannot conceive why this Propoſition for calling the National Synod by them propoſed, ſhould be made at this time; and that only to conſider of the Redreſs of the preſent Government of the Church of *England*; whenas the doing thereof in this Juncture of Affairs could not but caſt a Blemiſh upon the Proceedings of the Parliament, for deſiring to adviſe with the Divines, and upon the Piety and Learning of the Reverend Divines of the Aſſembly.

Not long after the making of theſe Propoſitions, the Ambaſſadors again deſired Audience of both Houſes, and were received with the ſame Honours and Reſpects as before. That which they ſpake was alſo delivered by them in writing, as followeth:

'Right Honourable; Two things have moved our Lords and Superiors to 'ſend us their Ambaſſadors Extraordinary into this Kingdom; (*viz.*) Their 'Duty, and your Service. The firſt conſiſted in their Power, and in the re'ſenting of the preſent Diſtractions: The other being altogether in your 'choice to accept, if you ſhould like of it.

'We have long ago and divers times ſpoken unto your Honours of the 'one and the other; as likewiſe unto the King, who hath honoured ſo much

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our State, as to have accepted the Offers of our Interpoſition; but we are ſtill with your Honours upon the ſame Terms we were at the beginning, without any Certitude or Likelihood to be accepted.

'We have already obtained our Leave from the King, and have left his Majeſty full of Good-will and Diſpoſition for a juſt and reaſonable Accommodation; likewiſe we parted from him well ſatisfied concerning the point of the Evangelick Proteſtant Religion, upon the Offer he hath lately permitted us to make. And as concerning the Royal Rights or Prerogatives, the Liberties and Privileges of this Kingdom, and the Parliament, and of all the Subjects, no doubt when that his Majeſty ſhall be ſatisfied, his Majeſty will alſo ſatisfy every one.

'But, Sirs, we can ſtay no longer here, unleſs your Honours accept of our Interpoſition, without which we are uſeleſs. And from hence it is, our Lords and Superiors have charged us in ſuch a caſe to take our Leaves, and return to our own home. In performance of which laſt Duty, we are here come before you, aſſuring you we ſhall never ceaſe to wiſh unto this heretofore flouriſhing Kingdom, an Accommodation and Peace, which is and ever will be as profitable as neceſſary.

This Paper was not Subſcribed by Sir *Alberte Joachimi*: How far he concurred in the other parts of this Negotiation, is better known unto your Lordſhips than unto us.

My Lords, It is here acknowledged that the Mediation had not been accepted, and yet they make themſelves not only Mediators, but Judges, and pronounce Sentence againſt both Kingdoms, as being jointly concerned as well in the Treaty as in the War; neither being heard, nor having made any Addreſs to the Kingdom of *Scotland*.

The Words of the Paper do infer, That ſuch Acts of Injuſtice have been done unto his Majeſty, as that he may in Juſtice do as he doth, until Satisfaction given; and that the Blame and Injuſtice lies upon the Parliament, in reſpect they have not in the firſt place given this Satisfaction: Whenas they knew that in the Treaty, even with his Majeſty's own Conſent, the Propoſitions concerning Religion, the Militia, and *Ireland*, were firſt to be concluded.

And truly it ſeems ſtrange to us, how they ſhould ſo well know either the Privileges and Proceedings of the Parliament, which they have ſo much miſtaken in their Letters; or the Liberties of the Subject here; or come to be ſo well aſſured of his Majeſty's Intentions, as to pronounce ſo full a Judgment, That in this caſe his Majeſty will give Satisfaction: Whereas the Parliament, upon the obſervation of his Majeſty's Proceedings hitherto, doth not know how to give his Majeſty Satisfaction, unleſs it be by the renouncing of the Privileges of Parliament, and Liberties of the Subject.

Soon after the Delivery of this Paper to the Houſes, the ſame by the Direction of the Ambaſſadors was publiſhed in Print. And although it were ſpoken in the Houſes, and delivered to them only in the *French* Language, yet it was Tranſlated and Publiſhed by them only in *Engliſh*; which had the matter of that Paper concerned the Honour or Intereſt of their Superiors, it would not have ſeemed ſo ſtrange unto us, as it doth in this Caſe, which is only for interpoſing between others; whenas the ſame, for the Reaſon aforeſaid, could not be admitted by the one Kingdom, nor were ſo much as deſired from the other.

This was their Farewell from us: And when the Houſes knew their Intentions of repairing home, they gave Orders that the uſual Honours and Reſpects to Ambaſſadors ſhould be done unto them; which was accordingly performed.

My Lords; The Houſes of Parliament, out of their earneſt deſires to continue a right underſtanding between themſelves and your Lordſhips, have thought themſelves bound to make this true Relation, as that which by the Laws of Friendſhip (in ſuch a Caſe as this is) might juſtly be expected at their hands, from ſo good Friends and Ancient Allies; and that by the right knowledge of their Proceedings upon this Embaſſy, all cauſe or matter of Suſpicion might be taken from your Lordſhips: That the Offers of that State

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for a Mediation, were never by them conceived unacceptable; there being no other State in the World, to whom they had cauſe to give more Credit in this Caſe, without the leaſt Jealouſy, than unto that: And likewiſe that it might appear unto your Lordſhips, that no Actions of theirs in this Tranſaction (as they conceive) could give any juſt occaſion of laying the leaſt Blemiſh upon the Sincerity of their Endeavours for the obtaining of a good and happy Peace; which is the thing they have always moſt earneſtly deſired, and which they daily pray and labour for.

Concerning which particular they ſhould have thought it needleſs to have ſaid any thing unto your Lordſhips, had not the matter of the Two laſt Audiences from your Ambaſſadors required it: Becauſe we cannot conceive that your Lordſhips ſhould think otherwiſe of the Parliaments of both the Kingdoms, than that they were duely ſenſible of the Calamities of a Civil War; and that they could not but know that the Continuation of it, without any abſolute neceſſity, would moſt redound to the prejudice of the Subject, and ſo of themſelves, in reſpect they were to feel the Smart, and bear the Burthen of it more than others. And that your Lordſhips may know the better how to judge upon thoſe Papers, and upon the whole manner of the preſent Diſtractions and Calamities within this and his Majeſty's other Kingdoms; it may be uſeful to acquaint your Lordſhips at preſent in part with the Cauſe and Manner how they broke forth unto the preſent Diſtemper.

It is well known, that of a long time there hath been a Jeſuited Deſign of Papiſts and other ill-affected perſons to the Religion and Laws of theſe Kingdoms, to undermine, if not wholly to overthrow, the true Reformed Proteſtant Religion, the Laws of the Kingdom, and Liberty of the Subjects; and that the Deſign was far advanced long before this preſent Parliament: And that when former Parliaments endeavoured to apply a Cure, they were always broken. When they ſaw that within the Kingdom of *Scotland* they were not likely otherwiſe to prevail, they made trial of enforcing it there by open War in the Year 1638.

When they found they were not able for the preſent to carry it on that way, they made a Peace with *Scotland*, with an intent to get themſelves thereby into a better poſture of War. This Treaty was broken by them, and a Parliament is ſummoned in this Kingdom, to meet in *April* 1640. and Aid deſired for renewing the War againſt that Kingdom. And when they had cauſe to fear the Parliament would aſſiſt them in that Quarrel, the Parliament is broken, and the War renewed againſt *Scotland*, contrary to the Treaty. But being worſted, and the *Scots* Army entred this Kingdom, a Parliament is again ſummoned to meet in *November* following. The Parliament, though the War was undertaken for the purpoſes, and in the manner as is before expreſſed, yet out of their earneſt deſires of his Majeſty's Happineſs, and of the Peace of his Kingdoms, they took upon themſelves the Payment of both the Armies, and gave their beſt Aſſiſtance to compoſe the Differences: Both which by the Bleſſing of God were accordingly performed.

During the time of this Treaty, and notwithſtanding the Payment of both the Armies by the Parliament, yet under-hand Meſſages were ſent, and means uſed to have engaged both the Armies againſt the Parliament; and for the bringing them from the *Northern* Parts nearer *London* for that end. Their Endeavours therein with the *Engliſh* Army was prevented by a timely Diſcovery; and their Hopes from the *Scots* Army were fruſtrated by their denial of the great Offers with diſdain, which were made to them for that purpoſe. And when they ſaw that the Brotherly Reſpects from each Kingdom to the other, had begot a Union, and were out of hope that the Parliament of *England* would ſubmit to the Deſign, and that the Parliament could not be diſſolved, but by its own Conſent, they proſecute the Deſign by open Force in the Kingdom of *Ireland*, to the deſtruction of the greateſt part of the poor innocent Proteſtants there: And after Countenance given to the Rebels there, they procured his Majeſty to come unto the Houſe of Commons then ſitting, with Armed Men, to take away by Force Five of their Members; whereof failing, in regard that thoſe perſons were not then there, they afterwards declared againſt the Parliament of *England* by open War.

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War. And when the Kingdom of *Scotland* appeared with them in the Cauſe, they made uſe of the *Iriſh* Rebels, and the Papiſts, and Prelatical Party, againſt the Parliaments of both Kingdoms; and likewiſe of divers perſons accuſed in Parliament of high and great Crimes, long before this War.

When both Kingdoms had from hence, and otherwiſe, cauſe to believe that the Plotters and Fomenters of this Deſign could not in likelihood, by any Succeſſes, be removed from their Purpoſes, the Parliaments of both Kingdoms held it neceſſary, That the Subjects of his Majeſty's Three Kingdoms ſhould enter into the National Covenant before-mentioned; wherein the Sincerity of their Intentions is expreſſed.

For which cauſe they have herewithal ſent it unto your Lordſhips; as alſo that your Lordſhips may hereby underſtand, That they are reſolved, by the Aſſiſtance of Almighty God, never to deſert or abandon this Cauſe, out of any Worldly Reſpects whatſoever.

By this ſhort Relation, the conſtant Reſolutions and unwearied Endeavours of the Enemies of both Kingdoms will appear unto your Lordſhips, that when they could not after much labour and time ſpent, effect their deſires under pretence of Law, that they attempted them above Seven Years ſince by open War; which had almoſt ever ſince been by them continued in ſome of his Majeſty's Dominions, until within theſe Eight Years it hath been brought into and continued in them all. And thence your Lordſhips may have cauſe to conſider, whether the Parliament of both Kingdoms have any other way or means left them for procuring of a Peace, other than the laying down of their Arms, and ſubmitting themſelves upon ſuch Terms as thoſe perſons will yield them: And whether the fomenting and cheriſhing of the *Iriſh* Rebellion, and the employing of thoſe Rebels, the Papiſts and the perſons accuſed, may be relied on as the means to preſerve the Proteſtant Religion, and Laws of the Kingdom, as is pretended by them. And likewiſe, in caſe they ſhould prevail within theſe Kingdoms, what may be expected by others who deſire to continue the Maintenance of the Proteſtant Religion, and the Laws of their Country, from the Example of the Innocent Proteſtants in *Ireland*, who had never given the leaſt cauſe of provocation, either by way of Oppoſition, or otherwiſe.

My Lords, The Houſe would not have your Lordſhips think that they have made this ſhort Relation, as that which ſhould fully ſet before you the whole Cauſe and Matter of the Quarrel; which for the clearer Satisfaction of your Lordſhips and of the World, concerning the Juſtneſs of their Cauſe, and the Neceſſity and Manner of their defending it, they refer unto a further time; and likewiſe the Proceedings upon the late Treaty of Peace at *Uxbridge*: But have done it only as in relation to your Embaſſy, and to the matter of the Two laſt Papers of your Ambaſſadors; whereby the Continuation of the preſent Diſtractions ſeems to be laid at the doors of the Houſes of Parliaments of both Kingdoms.

My Lords; The Parliament doth reſt moſt aſſured, That God in his good time will clear their Integrity in this Cauſe to all the World, as he hath already done in a great meaſure to all who have been Impartial Beholders of their Actions. They have ſent this Declaration out of their deſires that they may likewiſe ſtand right in the Judgment and Opinion of your Lordſhips therein, and in what concerns their Reception of your Embaſſy.

Philip Wharton, *Speaker of the Houſe of Peers.*

William Lenthal, *Speaker of the Houſe of Commons, in the Parliament Aſſembled.*

Die Sabbathi 5 Auguſti, 1645.

It is this day ordered by the Commons Aſſembled in Parliament, That the Declaration ſetting forth the Tranſactions between the Parliament and the States Ambaſſadors, be forthwith Printed; and that it be referred to the Committee of both Kingdoms, to take Care of the Printing hereof.

A Second

21 *Carol.*

The Parliament's Second Declaration to the States-General, *Sept.* 15. 1645.

A Second Declaration of the Lords and Commons aſſembled in Parliament, of the whole Proceedings with the late Extraordinary Ambaſſadors from the High and Mighty Lords, the States General of the United Provinces; concerning Reſtitution of Ships, and the Courſe of Trade.

THE Lords and Commons aſſembled in the High Court of Parliament of *England*, having not long ſince diſpatch'd unto you, *Moſt High and Mighty Lords*, a Narrative of the Proceedings upon the late Embaſſy from your Lordſhips, in point of Interpoſition between the King and the Parliament, the Supreme Judicature and Repreſentative Body of this Kingdom, are confident that your Lordſhips remain moſt fully poſſeſſed of our real Intentions for a good Accommodation and Reeſtabliſhment of this preſent diſtreſſed and diſtracted Kingdom, in a bleſſed Peace. Nor do theſe deſires of ours bound themſelves here at home; but it is well known (we hope) unto your Lordſhips, with what reality of ſincere Affection we endeavour to maintain all good Correſpondency and Amity with your Lordſhips and the *United Provinces*, according to Ancient and Modern Treaties and Alliances; as alſo with what readineſs we have always upon all occaſions inclined to adminiſter Juſtice towards you and yours.

Yet leſt any evil affected perſons, engaged either by private Paſſions and Reſpects, or out of other ſiniſter Intentions or private Intereſts, ſhould labour to ſow the Seed of Diviſion or Miſunderſtanding between us, by reaſon of ſome Obſtructions of late in Trade and Commerce, and according to our Engagement and Promiſe by the former Narration:

We ſhall now make a candid Declaration of our whole Proceedings with your late Ambaſſadors, concerning Reſtitution of Ships, and the Courſe of Trade.

My Lords; We finding that divers in Rebellion in theſe Kingdoms of *Great Britain* and *Ireland*, had poſſeſſed themſelves of divers Maritime Towns and Ports of the ſaid Kingdoms; and that under pretence of Trade and Commerce, great Quantities of Ordnance, Arms, and other Warlike Ammunition, with Victuals, and Contraband Goods of all ſorts and kinds, were frequently carried into thoſe parts, to the ſtrengthning of the ſaid Rebels, and lengthning of their unnatural Rebellion, and this deſtructive Civil War, did by our Publick Edict or Ordinance, bearing date the laſt day of *November*, 1643. prohibit all Trade and Traffick into certain Ports of theſe Kingdoms, then and yet in Rebellion and Defection to the King and Parliament, under Penalty of Confiſcation.

My Lords; Your Ambaſſadors having in the Month of *July*, 1644. Audience in both Houſes of Parliament, with their Offers of Mediation, preſented likewiſe a Paper, entituled, *Ships, Merchandizes, and other Goods, of which the High and Mighty Lords, the States General of the United Provinces of the* Netherlands, *demand by their Ambaſſadors the due Reſtitution and Payment of all Damages and Intereſts.* And in the beginning of *Auguſt* ſent to the Speakers of both the Houſe of Parliament, a Second Paper of *Demands*, entituled, *Continuation: Other Ships, Merchandizes, and Goods, whereof the Ambaſſadors of the* United Provinces *demand Reſtitution, and Payment of Damages.* And in the Cloſe of that Second Paper, made a Demand in theſe words following:

That the Parliament would pleaſe to give Letters of Licenſe or Paſſport to Thomas Cave *and* Edward Man, *dwelling at* Amſterdam, *to withdraw their Merchandize and Goods which were then in the Town of* Exeter, *bought long ſince by their Order, and for their Account; and that they might lade them in a Ship, and carry them thence. And that the like Licenſe and Liberty be granted to all the Subjects and Inhabitants of the* United Provinces *(being deſired) for the future.*

Upon Receit of theſe Demands, we did with all Reality and Readineſs appoint a ſelect Committee of the Lords and Commons of both Houſes, with full Power and Commiſſion to conſider thereof, and to Treat with your Lordſhips Ambaſſadors touching the Complaints of Damages and Matters aforeſaid. Hereupon ſeveral Conferences were by that Committee had

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with your Ambaſſadors; and after ſeveral Debates, the Demands concerning Reſtitution of Ships and Damages, were found by their Lordſhips own diſtinction, to be of theſe two ſeveral Natures; either concerning the Publick Intereſt of your State, or the private Intereſt of particular perſons.

Under the firſt Head they reduced only Four Ships: The *Utrecht*, Captain *Kirkhove*: The *Thomas Bonaventure*, *Thomas Sharper* Maſter: The *Paul*, Maſter *William Smitts*: And the *Golden Parrot*, Maſter *Diriffe Muller*.

This Ship *Utrecht*, as was affirmed by your ſaid Ambaſſadors, was a Frigat belonging to the *States-General*, and by Order of the Council of the Admiralty of *Roterdam*, appointed to go Northward for the Guard and Convoy of their Fiſhermen: But the Ships in our Service meeting with her at Sea, upon Examination found on Board her one Colonel *Ogle*, a Man in Rebellion, and very active againſt the Parliament, and other Paſſengers, with Seventy Barrels of Powder, and Merchandize, to be carried to the Port of *Scarborough*, then held out by the Rebels againſt the Parliament; and had aboard her divers Letters directed to the Marqueſs of *Newcaſtle*, Sir *Hugh Cholmly*, and other perſons in Arms againſt the Parliament. Although this Action in it ſelf was moſt inconſiſtent with the Condition we then were in, and the ſame acknowledged by your Ambaſſadors, and the Laders were impriſoned and puniſhed by your State for that Offence; yet being moſt willing to continue the Ancient Friendſhip and Amity, or rather to oblige both States in a ſtronger Alliance; upon the bare Affirmation of your Ambaſſadors, That the Conveyance of theſe Rebels and Ammunition in that Ship, was a matter covertly tranſacted by the Captain and Company of the *Utrecht*, without the leaſt knowledge of the State, were moſt ready to give credit thereunto: And thereupon gave Power to that Committee to paſs an Order for her Diſcharge; which was accordingly effected: Which Order was as followeth:

Die Mercurii, 4. Sept. 1644.

Committee of the Lords and Commons appointed to treat with the States Ambaſſadors.

'WE conceive that no man will deny, that a Ship carrying Powder and 'other Munition to a Port in Hoſtility to this State, not only the 'Munition, but the Ship it ſelf is by Law confiſcated: Yet foraſmuch as 'their Lordſhips have upon their Honours affirmed (which is held in great 'Eſteem by this Committee), That the Ship *Utrecht* is a Ship of War im'mediately belonging to their State: And that the Powder, Merchandize, 'and Letters found in her, were laden on board that Ship by a falſe and 'counterfeit Paſs, and without the knowledge of that State; and the Laders 'thereof have been impriſoned and puniſhed for that Offence: This Com'mittee, in farther Teſtimony of their great deſire to maintain all good Cor'reſpondence with thoſe from whom they are ſent, and the good Amity be'tween this Kingdom and State, are well content the ſaid Ship with her 'Tackle and Furniture be reſtored.

The next Three Ships in order were, The *Thomas Bonaventure*, with her Lading of Coals; the *Golden Parrot*, with her Lading of Coals; and the *Paul*, with her Lading of Corn: Of which Ships with their Lading, your Ambaſſadors demanded Reſtitution; for they were taken by the Ships in the Service of the Parliament, within the Buoys and Juriſdiction of that State.

The firſt of theſe Ships, the *Thomas Bonaventure*, upon proof appeared to be a Ship of *Newcaſtle*, taken by the Ships in our Service as ſhe was coming with her Lading of Coals from *Newcaſtle*, then in the height of Hoſtility and Rebellion: Theſe Coals, upon proof, appeared to have been laden by Sir *John Marley*, the then Mayor of *Newcaſtle*, to be ſold, and the Return to be made him in Powder, Arms, and Ammunition: The Maſter, *Thomas Sharper*, a known Incendiary, and very active againſt the Parliament; againſt whom we had juſt cauſe to have proceeded upon a Charge of high Miſdemeanors, to have brought him to exemplary condign Puniſhment.

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The ſecond of theſe Three, the *Golden Parrot*, upon proof, was found to have carried from *Dunkirk* Saddles, Match, and Bandaliers, for *Newcaſtle*, then in Rebellion; and returning with the Proceed of the ſame in Coals, was taken and condemned for good Prize, and ſold Two Months before this Demand.

The laſt of theſe Ships, the *Paul*, was taken laden with Corn to be carried to *Dublin*, ſince the pretended Ceſſation there; and had a Paſs from the Earl of *Ormond*, one of the chief Rebels of that Kingdom; and therefore was taken and brought in as Prize, though ſince diſcharged.

My Lords; We doubt not but that the bare repeating of the ſeveral Caſes of theſe Three Ships, doth give Satisfaction to your Lordſhips in point of Judgment, That they with their Lading were lawfully taken, and might as juſtly have been detained: And it did at firſt ſeem ſomething ſtrange to us, that your Ambaſſadors ſhould intereſt themſelves in the Ships, Goods, and Perſons of men in Rebellion againſt the Parliament. But becauſe they affirmed that thoſe Three Ships were taken in places within the Buoys of that State, and repreſented the ſame as an Infringement to the Liberties, and Derogation to the Honour of that State; although it appeared by your own written Laws then produced to your Ambaſſadors, That the taking of thoſe Ships and Goods in thoſe places, did not render them no Prize; but was only a perſonal Offence in the Taker to your State, for which he had received Puniſhment in your State: Yet we being unwilling to allow of any Act that might in the leaſt manner prejudice either the Honour or Intereſt of that State, our Ancient Friends and Allies, and to demonſtrate how careful we were in all things to a good Compliance, not only yielded to Reſtitution of thoſe Three Ships, with Damages; but alſo, out of ſpecial Reſpects unto their Lordſhips, cauſed the ſaid Mr. *Tho. Sharper* to be releaſed out of Priſon where he lay, and his Perſon delivered up to their Lordſhips for their diſpoſal.

The Reſolutions of the Committee concerning Reſtitutions of theſe Three Ships, delivered on the 30*th* of *Auguſt*, 1644. to your Ambaſſadors in writing, were in *hæc verba*:

Die Veneris, 30. *Auguſti*, 1644.

'WE find that the Ship *(Paul)* with her Lading is already reſtored un-
'to the Owners, by Sentence in the Admiralty Court, and no Da-
'mages was demanded.

'As for the *Thomas Bonaventure*, we are contented to make Reſtitution of
'the Ship with her Lading, with Damages.

'And as to the *Golden Faulcon*, or *Parrot*, we find the Ship and her Lading
'diſpoſed of, and ſold, according to the Judgment of the Admiralty-Court;
'wherefore we are contented to reſtore the Value of the Ship and Goods,
'with Damages: We expecting to receive the like Satisfaction from that
'State, in caſes of the like nature.

'Reſolved, That the pretended Damage for the *Paul*, is to be made ap-
'pear by Proofs in the Court of Admiralty, to be tranſmitted to this Com-
'mittee, and here adjudged.

But your Ambaſſadors, not willing to receive Contentment by this ſo clear Anſwer, held the Committee in diſpute many Weeks, to the great Obſtruction of the more publick Affairs of this Kingdom, preſſed for a farther Anſwer; which the Committee among other things delivered them, *Sept.* 23. 1644.

'The Committee doth now further add concerning the ſaid Ship the *Paul*,
'That it is already agreed, the 30*th* of *Auguſt*, 1644. upon Debate then
'had between the ſaid Lords Ambaſſadors, and the ſaid Committee, That
'the Damage for the Ship, the *Paul*, is to be made appear by Proofs in the
'Court of Admiralty, to be tranſmitted to this Committee, and here ad-
'judged; which this Committee doth now *de Novo* aſſent unto, that it ſhall
'be performed. And for the ſaid Ship the *Golden Faulcon*, *alias* the *Parrot*,
'and her Lading, which are already ſold away and gone, they are, as for-
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'merly they were, contented to reſtore the Value of the ſaid Ship and 'Goods, with Damages; the Value and Damages to be made appear by 'Proofs to be made and taken in the ſaid Court of Admiralty, to be tranſ-'mitted to this Committee, and here adjudged. And they further add, 'That the Damages, if any be, which muſt be ſatisfied for the Goods in 'the *Tho. Bonaventure*, muſt likewiſe be made appear by Proofs made and ta-'ken in the ſaid Court of Admiralty, and tranſmitted to this Committee, 'and here adjudged.

Notwithſtanding theſe ſeveral Anſwers inviting your Ambaſſadors to enable us to do them Juſtice, yet to this day there hath not been any Proofs made of the Value and Damages pretended in any the Ships aforeſaid, whereby we might make Satisfaction accordingly.

My Lords; By what is here faithfully ſet down to have been tranſacted touching the Reſtitution of thoſe Ships ſuggeſted to be belonging to that your State; your Lordſhips upon conſideration of all the Circumſtances, may clearly ſee how extraordinary our Compliance hath been therein, and truly ſuch wherewith we hoped to have greatly merited of your Lordſhips, and have given full contentment and ſatisfaction to the deſires of your Ambaſſadors: But contrary to our expectation, they (as though they intended nothing more than to beget Diſputes and Differences) preſented certain Notes or Papers of Damages delivered unto them by the intereſſed Complainants; and inſiſt, That Damages muſt be liquidated, and Satisfaction given, according to the Demands in thoſe Papers, and that without further Proof or Diſpute.

Theſe Papers our Committee, according to their former Reſolutions, deſire to refer to the High Court of Admiralty of this Kingdom, there to receive a Legal Proof, that all Parties intereſſed might be heard to the ſame. This, though moſt reaſonable and conſonant to the Rules of Juſtice, and Practice of all Countries, was by them utterly refuſed and denied, and thereupon Proteſtations made by them againſt us.

My Lords; Having in ſeveral Meetings ſpent many Weeks for the tranſacting the buſineſs concerning the Four former Ships, ſuggeſted to belong to that your State; we proceeded to the Conſideration of thoſe Ships and Goods that concerned the private Intereſt of particular men: Where in the firſt place your Ambaſſadors demanded Reſtitution of the *Tyger* of *Roterdam*, with her Lading, affirming her to belong to one *Martin de Reuz*, and Partners, all Natural-born *Dutchmen*; and offered to produce ſome Writings firmed in *Holland*, to prove the ſame: Whereupon that Committee intending nothing more than to give all manner of Satisfaction, did cauſe the Officers of the Admiralty-Court of this Kingdom to attend them at their next Meeting; who in their Lordſhips preſence produced the Record of the Proceeding in that Cauſe; by which it did evidently appear, That by the Judicial Proceedings of that Court, all Favour had been ſhewed unto thoſe of your Subjects who made the leaſt colourable pretence to the Ship, or for any of the Goods belonging to your State: And the Remainder, by pregnant Proof of Witneſſes upon Oath, were condemned as belonging to *Ford* and others, Subjects of this Kingdom, men very active againſt the Parliament. But their Lordſhips not willing to receive Satisfaction therein, did with ſome Paſſion inveigh againſt the Proceedings of that Court, and preſſed ſomewhat affectionately for a further Anſwer in writing; which at their next Meeting, *viz.* 18. *Sept.* 1644. was accordingly delivered in *hæc verba*:

An Anſwer to the Demand of the Lords Ambaſſadors from the High and Mighty Lords, the States-General of the United Provinces of the Netherlands, *of Reſtitution of the Ship the* Tyger *of* Roterdam, *with her Goods and Lading.*

'Firſt, That this is the Fifth particular Ship and Goods, upon which the 'Treaty hath been between their Lordſhips and the Committee of 'Lords and Commons; and that all the Four former Ships and their La-'dings, by the Conſent of the ſaid Committee, out of the deſire of the ſaid 'Committee to comply with the ſaid Lords Ambaſſadors, eſpecially for that

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'all the ſaid Four were wholly of Publick Intereſt, have been and are to be 'reſtored, according to their deſire; and that they ſhall be as forward to 'agree to the reſtoring of the *Tyger* and all her Lading, although this be of 'private Intereſt, as their Lordſhips deſire is, when they ſhall find juſt Cauſe.

'Secondly, That the ſaid Ship, and ſo much of the Goods as the Maſter 'of her, *Cornelius Leinderſon Valk*, would take his Oath were his, and ſo 'much of the Goods as were claimed by him, and ſworn by him to be the 'Goods of any *Hollander*, were ordered to be reſtored in the Court of Ad-'miralty, without any further Proof, and without naming any *Hollander*, 'whoſe the ſaid Goods were.

'Thirdly, that all the Remainder of the Goods were proved in the Court 'of Admiralty to be the Goods of Mr. *Yard*, Mr. *Ford*, Mr. *Baynam*, *En-'gliſhmen*: Firſt, By the Depoſition upon Oath of the ſaid *Cornelius Leinderſon 'Valk*, taken firſt by the Lord High Admiral of *England*, and afterwards by 'the Judge of the Court of Admiralty. Secondly, By the acknowledgment 'of the ſaid Mr. *Cornelius Leinderſon Valk*, after his ſaid Examinations upon 'Oath, to *John Iſaac*, Servant to the ſaid Mr. *Ford*, That the ſaid Goods 'were laden for them at *Roterdam*, conſigned to them at *Dartmouth*: To 'which Acknowledgment the ſaid *John Iſaac* hath depoſed upon Oath in the 'ſaid Court.

'Thirdly, By divers other concurring Evidences depoſed of in the ſaid 'Court by the ſaid *John Iſaac*, to be by him written and ſent to *Roterdam*, 'to *Richard Ford*, Brother of the ſaid Mr. *Ford*; and by a Letter ſent from 'the ſaid *Baynam* to the Earl of *Newcaſtle*.

'Fourthly, Whereas the Lords Ambaſſadors object, That the ſaid Proceed-'ings in the Admiralty were Illegal, becauſe no Citation proceeded, no Ad-'verſe Party was firſt called: We anſwer, A Citation, *per Edictum*, to call 'all Parties whatſoever, intereſſed in the ſaid Ship and Goods, was ſet up 'publickly upon the *Exchange*, the 21*ſt* day of *May*, 1644. the Place for 'their Appearance named in the ſaid Citation; the ſaid Citation was there 'returned, and accordingly all ſuch Parties publickly called; and no body 'appearing to make Claim to any of the ſaid Goods, they were all condemn-'ed the Fourth of *June* following, and not before; ſo as Fourteen days were 'between the Citation and Sentence; and this hath been the uſual Courſe 'of Proceedings in that Court in ſuch Caſes, and is as we conceive moſt 'Legal, and the uſual Courſe of all Courts of the Admiralty of *Holland*, or 'elſewhere in the Chriſtian World.

'Fifthly, Whereas their Lordſhips have offered to ſhew ſome Papers, '(*viz.*) Invoices, Bills of Lading, Polices of Aſſurance, and ſome Acts of 'Court, and Entries of the Cuſtom-houſe, and other Proceedings at *Rote-'dam*, or elſewhere in *Holland*, whereby it may appear (as their Lordſhips 'ſay), That all the ſaid Goods belong to *Martin de Reuz*, and Company, 'all *Hollanders*: The ſaid Committee ſtill deſiring to ſhew their extraordinary 'Forwardneſs to all good Compliance with their Lordſhips, notwithſtanding 'the ſaid Goods are already upon ſufficient Proof legally adjudged, are con-'tented the matter to be re-examined in the ſaid Court of Admiralty, be-'tween the ſaid *de Reuz* and Company of the one Party, and the Takers 'on the other Party; and all the ſaid Papers there exhibited in the preſence 'of the Takers of the ſaid Ship, who are to have Power to object againſt 'them if they can; and that ſuch further Proofs be there made, and Exami-'nations taken, as either Party may legally deſire: And after all this done, 'all to be tranſmitted to the ſaid Committee, by them to be debated and ad-'judged according to Right.

'Sixthly, Whereas their Lordſhips did at their laſt Meeting with the ſaid 'Committee make Expreſſions, that they expected that the ſaid Papers 'ſhould be accepted of for full Proof, without further Examination of the 'Buſineſs here; and thereupon did offer to proteſt againſt the Proceedings 'of the ſaid Committee, if they ſhould not preſently agree to the Reſtitution 'of the ſaid Goods: The ſaid Committee doth hold theſe Demands to be 'moſt unreaſonable, and no ways to be yielded unto; and do not doubt 'but their Proceedings will be juſtifiable to all Perſons whatſoever, againſt all 'ſuch Proteſtations.

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My Lords; We ſhall now appeal to your Lordſhips Judgments, with what Tenderneſs and Favour in relation to your State, that Court proceeded upon the Ship, and ſuch of the Goods as were claimed under the leaſt pretence of belonging to any of yours; and what unanſwerable Proof they had for Condemnation of the Remainder (with what Confidence claimed by your Ambaſſadors): Yet to give further manifeſtation of all poſſible Compliance upon your Ambaſſadors preſſing Importunities, and the Petition of *Martin de Reuz* and Company, claiming Property in the ſame, we were contented to let them have the ſaid Goods at Fifteen hundred Pounds under their true Value; upon this aſſurance, That they would proſecute their Claim in the Admiralty-Court, and make their Title and Propriety there appear: Which hath not hitherto been effected, nor hear we any further of their Proceedings in this Caſe; ſo that this State are ſo much clear Loſers by that buſineſs.

From this Ship your Ambaſſadors would have proceeded to the reſt: But our Committee taking notice of the great Expence of Time in the Debate of the *Tyger* and her Lading, and computing by that Rule how many Months would be neceſſarily ſpent in the reſt, repreſented the ſame unto both Houſes of Parliament. At this time, my Lords, we were engaged in very weighty Affairs, not only concerning the very Being of theſe Kingdoms, but alſo the flouriſhing of the Evangelick Proteſtant Religion both in this Kingdom and other Foreign States, (wherein your Lordſhips and the State had not the leaſt Intereſt), and upon theſe weighty occaſions requiring the continual Attendance of all our Members, thought it not reaſonable to lay aſide theſe our great Affairs (which we might have done) to have taken up the others into particular Examination. And while this matter was under Conſideration, your Ambaſſadors, by a Paper dated the 12*th* of *December*, ſent unto both Houſes Complaint, They could not hitherto obtain Juſtice: The contrary whereof, by what hath been hereby repreſented, we hope your Lordſhips are fully aſſured.

We therefore, on the former ſenſe of our Affairs, and ſeeing there was ſo natural and ſpeedy a way for the receiving of Juſtice in the Admiralty-Court, where the Demands had received ſome Proceedings, returned them our Anſwer; *That we held it fit that the Parties Complainants ſhould have free liberty to proſecute their Intereſts in the High Court of Admiralty in this Kingdom, for ſuch as had not been before that time ſentenced; or by way of Appeal for ſuch as had been adjudged there.* In which Courts we ſhould have taken Care for Right to be done them with all Expedition. The Parliament ſtill reſerving and engaging themſelves by Promiſe to ſupply any Defects of Juſtice in any the ſaid Courts, upon further Treaty thereon with your Ambaſſador; the Equity of which Courſe and Form of Proceedings, we ſhall not need here to inſiſt on, it being obſerved by your Lordſhips, and all other States and Republicks in *Europe*.

And as we thus endeavoured by all means both juſt and honourable, the removing of Obſtruction, and clearing all Miſunderſtandings for the time paſt, ſo no leſs careful were we for the maintenance of Amity and a good Correſpondence for the time to come: And thereupon taking into Conſideration your Ambaſſadors deſires of free Licenſe to the Merchants of your State, for the withdrawing of their Goods from the parts and places under the Power of the Enemy in Rebellion againſt the Parliament, did by a Publick Declaration, dated the 30*th* of *Auguſt*, 1644. provide, 'That notwithſtanding our former Ordinance, it ſhould and might be lawful to and for 'any Foreigner or Stranger, Subject to any Prince or State in Amity with 'his Majeſty, with ſuch and ſo many Ships or other Veſſels as ſhould be needful to ſail or go unto the Ports or Harbours of *Exeter*, *Briſtol*, *Falmouth*, '*Topſham*, or any other Port or Place in this Kingdom of *England*, in Defection from the King and Parliament; and from thence by all lawful 'means and ways to withdraw, tranſport, and carry away their Goods and 'Eſtates. Which advantage notwithſtanding, at the ſame time by that Declaration we denied to the beſt-affected Subjects of this Kingdom.

My Lords, This Declaration was printed and ſent unto their Lordſhips; who not contented with that freedom, though granted upon (and full unto) their own Demands, make new Deſires, as from your Lordſhips, for an abſolute

ſolute Free Trade and Commerce. We ſtill perſiſting in our conſtant Reſolutions in all things to correſpond, reſumed the matter into Conſideration: But in regard of the Weight and great Conſequence thereof, have not yet given any Reſolutions or Concluſions; which we hope in ſome ſhort time ſo to do, as may give Satisfaction to your Lordſhips and all the World.

My Lords; Since the Concluſion of the whole former Negotiation, your Lordſhips Ambaſſador in Ordinary, Sir *Albertus Joachimi*, at an Audience in both Houſes of Parliament, on the 2*d* of *May* laſt, did by expreſs Order from your Lordſhips, as he affirmed, repreſent unto us your good Affections to the Proſperity of this Kingdom; whereof, as we have ever been fully aſſured, ſo we ſhall never ceaſe to ſet a very high Eſteem both on your ſelves and it. At that time he likewiſe acknowledged, That true it was, ſome Ships formerly demanded by the late Extraordinary Embaſſy, were diſcharged, but not reſtored in the State they were when they were taken; and upon the whole deſired, That the Ships and Goods taken, and yet detained, might be reſtored; and all intereſſed by reaſon of the ſaid taking and detaining, might be indemnized of all Expences, Damages, and Intereſts, which they have ſuffered and ſhall ſuffer.

This we having taken into our ſerious Conſideration, and upon peruſal fear that our Proceedings have not been truly repreſented to your Lordſhips by your Extraordinary Ambaſſadors; but hope that upon your Lordſhips View of the aforegoing Paſſages, you will be moſt abundantly ſatisfied, That nothing hath at any time been wanting on our parts fairly to anſwer theſe Demands in all the Particulars; but the fault muſt wholly reſt on the Complainants, in being wanting to themſelves, when means and ways of Redreſs were and ſtill are offered; with this our further Proteſtation, That if we knew any ſuch Expedient for their Relief and Diſpatch, we ſhould moſt readily condeſcend thereunto.

My Lords; In Sum, The *Utrecht*, though bound with Ammunition to an Enemy's Port, is reſtored: The *Thomas Bonaventure*, though belonging to perſons in Rebellion; The *Golden Parrot*, though having furniſhed the Enemies with Arms; The *Paul*, though going with Corn for their Aſſiſtance, are all aſſented to be reſtored, or the Value of them, with Damages legally proved; The Maſter of the *Thomas Bonaventure* releaſed: The Goods of the *Tyger* delivered to the Claimers, though Fifteen hundred Pounds loſs accrue thereby to this State, and themſelves never ſo much as endeavoured to make good their Claim to this day: All other Demands put into a Legal way for a Relief in a Court of Juſtice, would your Ambaſſadors have acknowledged the Courts of Juſtice under the Power of the Parliament, which they from time to time refuſed, though to the prejudice of their own Claims, and Parties intereſſed. But, my Lords, we muſt tell you, That the men who have traded in the Enemies Ports, have added Fuel to our Inteſtine Fire; and ſhould your Lordſhips by your Wiſdom prevent them for the future, it may with God's Bleſſing be a means much conducing to the Re-eſtabliſhment of Peace amongſt us.

My Lords; Having thus cleared all things that concerned your Lordſhips or your State, in the point of Reſtitution of Ships and Goods, and of Free Trade; It is moſt reaſonable for us to reflect upon our ſelves, and the well affected Merchants of *Great Britain* and *Ireland*, adhering to the Parliament; who all this while, and long before, have and ſtill continue languiſhing, by Damages and Wrongs done them by the Subjects of your State. The Claims of this nature our Committee did receive from the Parties Complainants, (Copies whereof are hereunto annexed), and by our Order delivered the ſame to their Lordſhips the Extraordinary Ambaſſadors; who returned this Anſwer, *That they had no Power to treat upon the ſame, but would repreſent to your Lordſhips their Maſters and Superiors.*

My Lords; We ſhall not inform you to how vaſt a Sum theſe our Claims amount; they will ſufficiently ſpeak for themſelves: We ſhall only ſay this, That as in all Cauſes concerning your State, we have taken ſpecial Care for Juſtice to be impartially adminiſtred with Diſpatch; ſo we deſire (yea, we are confident) that your Lordſhips will take the ſaid Complaints of Wrongs done unto the Subjects of theſe Kingdoms by yours, into your ſerious and

ſpeedy

An. 1645. ſpeedy Conſideration, and adminiſter them equal Juſtice and Proceedings to the World: So will it more and more oblige this our Nation to continue and perpetuate the moſt neceſſary and indiſſolvable Bond of Union and Amity between us.

An Abſtract of the particular Complaints from divers of the Engliſh *Nation, Subjects of this Kingdom, of the Injuries, Wrongs, and Damages, done unto them by the Subjects of the* United Provinces: *Which Complaints have been, according to ſeveral Orders of the Houſes of Parliament, preſented to the Committee of Lords and Commons of Parliament, appointed to treat with the States Ambaſſadors, touching detaining of Ships and Goods: For all which Wrongs and Damages, it is demanded in the Names of the Lords and Commons of the Parliament of* England, *That due Reſtitution and Satisfaction be made, according to the ſeveral Petitions.*

'*William Courteen*, Eſq; That his Ship the *Bona Eſperance* of *London*, being 'laden with the ſaid *Courteen*'s Goods, and with certain other Goods 'and Moneys of the *Portugals*, (with whom the ſaid States had proclaimed 'Peace in *India* with Drum and Trumpet, according to the Agreement made 'long before between the King of *Portugal*, and the ſaid States here in *Eu*'rope) was upon the 26*th* of *June* 1643. ſailing upon her Voyage from *Goa* 'to *China*, in the Streights of *Malaca*, aſſaulted by Two Ships belonging to 'the *Dutch Eaſt-India* Company; and after a bloody Fight, and divers of the 'Company of the ſaid *Bona Eſperance* ſlain, ſhe and all her ſaid Lading and 'Goods was ſeized upon by the ſaid Aſſaulters to their own uſe, and the 'Men in her moſt inhumanely uſed: Which Ship might elſe have returned 'into *England*, and might have been worth to the Petitioner at leaſt 60000 *l.*

'*Robert Moulton* of *Redriff*, *Clench* of *Ipſwich*, *Goſnal* of '*Ipſwich*, *Chaplain* of *Ipſwich*, and ſome others, all Owners of the 'ſaid Ship the *Bona Eſperance*, make the ſame Complaint for the loſs of their 'Ship, the Value of the Ship Five Thouſand Pounds, and for the Loſs of 'their Fraight, which comes to 5000 *l.* more.

'*William Pennoyer*, and *Richard Hill*, both of *London*, Merchants; That ac'cording to an Agreement made by them with the Committee of Lords and 'Commons in Parliament, for the Safety of the Kingdom, the 27*th* of *De*'*cember* 1642. they bought for the Service of the Parliament in the Territo'ry of *Liege*, a Parcel of Arms, which they brought down in the Veſſels in'to the Port of *Dunkirk*, in *July* 1643. from thence to be tranſported into '*England*; but the then Admiral of the States Fleet, *Minheer d' Wit*, then 'riding before *Dunkirk*, being informed of the Premiſes, refuſed to let them 'paſs, but threatned to take or ſink them, if they offered; notwithſtanding 'Letters delivered to him from the Lord Admiral of *England*, to the ſaid 'Admiral of the States Fleet, to procure their free Paſſage, avowing the 'Arms to be for the uſe of the Parliament. After this the Lord Admiral of '*England* writ other Letters to the ſame purpoſe to Sir *Haperſon Trumpe*, then 'Admiral of the States Fleet lying before *Dunkirk*, to procure the free Paſ'ſage of the ſaid Arms, but could by no means effect it; but quite contrary 'to the deſire of the ſaid Lord Admiral of *England*, the ſaid Arms then laden 'in Two Free *Engliſh* Bottoms, and bound for *London*, were taken by the 'ſaid Sir *Haperſon Trumpe*, about the 16*th* of *May* laſt, and ſent into *Zealand*, 'and there detained, notwithſtanding the Houſe of Commons by their Let'ters, and Agent, and the Committe of Parliament of both Kingdoms, de'clared to the States-General, and to the States of *Zealand*, that the ſaid 'Arms were bought as aforeſaid for the Service of this Kingdom. The Value 'of the Arms 8000 *l.* The Charges occaſioned by the Stay of them 1500 *l.* 'The Intereſt-Money 700 *l.*

'*Vincent de la Barre*, of *London*, in behalf of himſelf and Company: That 'about *July* 1639. their Ship the *Black Buck* of *London*, being then near the 'Iſle of *Maderas*, ſailing towards the *Canaries*, was in a hoſtile manner aſ'ſaulted, and forcibly taken and carried away by Captain *Hemick Claeſſen* 'Swaert, and Company, being all *Dutchmen*, in a Ship called the *Hope* of *Am*'*ſterdam*; and notwithſtanding they have both by Legal Proceedings in *Hol*'land,

'land, and by ſeveral Interceſſions from and by this State, done their beſt 21 Car. II.
'Endeavours, and uſed their beſt means, yet have they received no Reſtitu-
'tion at all: The Loſs amounting to 12000 *l.*

'Captain *Whetſtone:* That about *February* laſt, 1643. he having taken at
'Sea (*viz.*) within the Buoys near the *Brill*, but out of Command of any
'Ship or Fort of the States, a *Scarborough* Ship, called the *Margery*, Maſter
'*William Cooper*; which Ship ſailed from *Scarborough*, bound for *Roterdam*,
'laden with Lead, Cloth, Sheep-skins, and ſome Money: After they had
'taken he, Two *Holland* Men of War, ordered by the *Dutch* Admiral *Van*
'*Trumpe* ſo to do, took the Prize-Ship from Captain *Whetſtone*, carried his
'Ship the *Cygnet* into the *Brill*-Peer, and there took his Sails from the Yard,
'and carried away the Rudder: After Two Months Trouble and Atten-
'dance, the *Cygnet* was diſcharged without any Satisfaction at all for the
'Prize; the Value whereof was 6000 *l.*

'Captain *Zachery:* That about the beginning of *March* laſt, 1643. he ri-
'ding with his Ship at the *Fly* in *Holland*, and having before taken Two
'*Engliſh* Prizes, (*viz.*) one whoſe Captain was *Hickſon*, which
'came from *Scarborough*, and was bound for *Amſterdam*, laden with Cloth,
'Lead, Wools, and ſome Moneys, all to the Value of 7000 *l.*; the other
'a Ketch laden with Ammunition, bound for *Scarborough*, from which Port
'ſhe firſt came, to the Value of 50 *l.* was ſurprized by Three States Men of
'War, Captain *John Yanger* being Commander of them all; who ſhot For-
'ty Pieces of Ordnance at him, and commanded him aboard their Ships,
'and took his Sails from his Yards, and carried them aſhore to the *Fly*, and
'carried him to *Amſterdam*, and there kept him cloſe Priſoner Eleven Weeks,
'without Reſtitution of the ſaid Prizes, or any part of them.

'The Town of *Yarmouth:* That the 2*d* of *July* laſt, 1644. Three States
'Men of War gave Chaſe to one *Peter Carline*, Captain of a *Dunkirker*, and
'drove the ſaid Frigat into the Haven of *Yarmouth*, and followed them into
'the ſaid Haven, and there made ſeveral Shots at the ſaid Frigat, and killed
'Two of her men, and wounded more; and divers of the Shot coming on
'Shore, killed one of the Townſmen of *Yarmouth*, and like to have ſpoiled
'many more; and after this boarded the ſaid Veſſel in the ſaid Haven, and
'carried her with her Commander and all his Company into the Road of
'*Yarmouth*; where ſhe was afterwards reſcued by one of the Parliaments
'Ships, being at that time in the ſaid Road, with ſome Help from the ſaid
'Town.

'*Ann Powlet*, Widow of *Robert Powlet*, Gentleman: That in *Jan.* 1644. the ſaid
'*Robert Powlet* and his Partners were Pyratically robb'd of a Ship called the
'*Dove* of *Minhead*, and alſo of a *Portugal* Prize, with Store of Rich Goods,
'by one Captain *Cornelius Skint*, in a Ship called the *Peter* of *Roterdam*, and
'carried thither, and there diſpoſed. And notwithſtanding the ſaid *Robert*
'*Powlet* uſed his beſt Endeavours both by Legal Proceedings, and by Inter-
'ceſſion of Agents of this State, in his Majeſty's Name and otherwiſe, yet
'no Reſtitution and Satisfaction can be obtained.

'*Roger North*, Eſq; That one *Henry Jacobſon* dying in *Fluſhing*, and being
'indebted to him the ſaid *North*, he commenced a Suit againſt the Widow
'of the ſaid *Jacobſon*, before the Magiſtrates of *Fluſhing*, and there appeared
'due to him 210 *l.* 15 *s.* and 7 *d.* which Sum was brought in before the
'ſaid Magiſtrates; but before the ſaid *North* could obtain the ſaid Money,
'the Bayliff of the Prince of *Orange* arreſted the ſame, and keepeth the ſame
'from the ſaid *North*, upon this only pretence, That the ſaid *Henry Jacobſon*
'dying Inteſtate, the ſaid Money belonged to the ſaid Prince; and ſo it was
'by the ſaid Magiſtrates ſentenced.

'The Merchants of *Dover:* That in *September* 1644. a Bark called the
'*Fortune* of *Dover*, *Lawrence Brown* Maſter, having taken in her full Lading
'of Piece Goods at *Oſtend*, to be delivered at *Dover*, the ſaid Ship and Goods
'coming from *Oſtend* with the ſafe Conduct of a Convoy-Ship of this State,
'was notwithſtanding ſurprized at Sea by a Ship of the States of *Holland*,
'whereof *Adrian Galrice* was Commander, and carried to *Roterdam*, where
'the ſaid Ship, Goods, and her Mariners remain without Reſtitution; al-
'though the Lord High Admiral of *England*, making Complaint thereof to

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your Lordships, received Answer, That you would write effectually to the States of *Holland*, that Satisfaction might be given to content: Yet are the Mariners there imprisoned, and threatned to continue so; unless they will affirm the Ship and Goods to belong to *Flemings*; and promised Reward if they will so affirm. The Value of the Ship and Goods is 15000 *l.* and Damages 2000 *l.*

'*John Marston*, of *London*, Merchant: That upon the 26th of *September*, 1639. there was riding at Anchor in the Road of *Malaguet*, within Musquet-shot of the Fort there, Two *English* Ketches, Masters *Roger Joyner* and *Sturgeon*, both freighted by order of the said *Marston*, with *Spaniards*; and about Twelve a-Clock of the same day, there came into the same Road a Frigat or Ship of War, belonging to the States, Captain *Peter Johnson* of *Roterdam*, having the King of *England*'s Ensign on the Poop, the Union-Flag on the Boldsprit-end, and a Pendant on the Main-mast-end; and being within Pistol-shot of the said Ketches, did then and there discharge Two Musquets, and forthwith boarded them; and having entred his Men, weighed their Anchors, and did violently carry the said Ketches and Soldiers aboard his own Ship, and that Night set sail for *Zealand*. The Damage sustained thereby by the said *Marston*, is valued at 1600 *l.*

'*James Gibbons* Merchant-Adventurer: That in *November* 1637. there came consigned unto him from *London* to *Roterdam*, in the *Elizabeth* of *London*, *William Adkinson* Master, one Pack containing 17 *English* Coloured Cloths; which being arrived, were truly entred in the Custom-house: And there was in the Ship another Pack directed to one *Robert Velthusen*, a Merchant of *Roterdam*; who having secretly unladen the same by Night out of the said Ship, to defraud the State of their Due; the Ship-Master was thereupon accused by the Advocate Fiscal in the Court of Admiralty, and by Sentence of Court condemned in the Forfeiture thereunto belonging: After which the said Council did take the said *Gibbons*'s Pack out of the said Ship instead of the said *Velthusen*'s, and caused the same to be sold with great Loss, without hearing the said *Gibbons*; nor could the said *Gibbons* ever since procure Restitution of the same.

'*John Wood* of *London*, Merchant: That he having this last Year set out for the Coast of *Guinny* the Ship *Star*; The Merchant of the said Ship in prosecution of the Voyage went to the Port of *Cormantine* on the Gold Coast in *Guinny*, where he found the *Dutch* had combined with the Natives of the Country to have clean expelled the *English* from their own Factory: Which had been effected, to the very great damage of the said *Wood* and the whole *Guinny*-Company, had not that Ship arrived that very day at that Port. And afterwards the said Ship coming to the Island of St. *Thome*, to recover again Debts due to the said *Wood*, wherewith the Ship was to be re-laden; the Governor of the Island for the *States-General* commanded the *Portugals* Debtors not to pay any of their Debts unto the *English*, although they were both able and willing thereunto; whereby the said Ship returned home dead Freight.

Besides all these, we have received from the *East-India* Company of *London*, and the *Muscovy* Merchants of *London*, by their several Petitions, Complaints of divers great Wrongs and Damages of great value done to them by the *Dutch*, Subjects to the said States of the *United Provinces*; which we do not here set down, because they are of a longer Date, and are or have been depending under Debate before Persons thereunto particularly authorized and appointed; and we expect that in due time Right will be done.

Die Lunæ, 15. Sept. 1645.

Ordered by the Commons assembled in Parliament, That the Declaration concerning Reprisal of Ships sent into the United Provinces, *be forthwith Printed in* Dutch *and* English; *and that the Committee of the Navy do take care of Printing the same.*

The

The Assembly of Divines in the beginning of this Year had addreſs'd to the Parliament, That Persons Ignorant and Scandalous might be suspended from the Sacrament, and might be excommunicated: Which occasion'd great and long Debates in the House of Commons about the same: And amongst the rest, the Learned Mr. *Selden* delivered his Opinion somewhat to this Effect:

Excommu-

Mr. *Selden's* Speech touching Excom. and Suſpenſion from the Sacrament.

THat for 4000. Years there was no sign of any Law to suspend Persons from Religious Exercises: For under the Law every Sinner was *eo Nomine* to come to offer as he was a Sinner: And no Priest or other Authority had to do with him, unless it might be made appear to them, whether another did repent or not; which was hard to be done. Strangers indeed were kept away from the Passover; but they were Pagans, and such as were not of the *Jewish* Religion: The Question is not now for keeping away Pagans in times of Christianity, but Protestants from Protestant Worship. No Divine can shew that there is any such Command as this to suspend from the Sacrament. If after Christ suffered, the *Jews* had become Christians, the same ground upon which they went as to their Sacrifices, would have been as to the Sacrament; and certainly no way nor Command to keep any one from partaking of it. No man is kept from the Sacrament, *eo Nomine*, because he is guilty of any Sin, by the Constitution of the Reformed Churches, or because he hath not made Satisfaction: Every man is a Sinner; the difference is only, the one is in private, and the other a Sinner in publick; but the one is as much against God as the other. *Die Ecclesiæ* in St. *Matthew*, was the Courts of Law which then sat in *Jerusalem*. No man can shew any Excommunication, till the Popes, *Victor* and *Zephorius*, (200 Years after Christ) first began to use it upon private Quarrels: Thereby it appears Excommunication is but Human Invention; it was taken from the Heathen.

And Mr. *Whitlock* made the following Speech:

Mr. *Whitlock's* Speech on the same Subject.

Mr. Speaker,

THE Assembly of Divines have petitioned and advised this House, That in every Presbytery or Presbyterian Congregation, the Pastors and Ruling Elders may have the Power of Excommunication, and of suspending such as they shall judge Ignorant or Scandalous Persons from the Sacrament. By *Pastors*, I suppose they mean themselves and others, who are or may be Preachers in the several Congregations, and would be Ἐπίσκοποι, Bishops or Overseers of these Congregations. By *Ruling Elders*, I take their meaning to be a select Number of such as in every one of those Congregations shall be chosen for the Execution of the Church-Government and Discipline therein respectively. They may properly enough be called *Pastors*, from our Saviour's Charge to his Disciples, *Pasce Oves meas*, *Feed my Sheep*; so that a Pastor is to feed those committed to his Charge with Spiritual Food, as the Shepherd feeds his Flock with Temporal: But if so, how improper then will it be, for those who are to feed the Flock, to desire the Power to excommunicate any, to keep them from Food; to suspend any from the Sacrament; to drive them from feeding on the Bread of Life; to forbid any to eat of That, whereof Christ the great Shepherd of our Souls hath said *Take, Eat*, &c. or to prohibit whomsoever they shall judge unworthy, when our Saviour himself said, *Drink ye all of this*. And St. *Mark*, *Chap.* 14. saith, *They all drank of the Cup*; though *Judas* was one of them?

In the Old Testament; *Ho every one that thirsteth, come ye to the waters; and he that hath no money, come ye, buy and eat; yea, come, buy milk and wine, without money, and without price*; saith the Prophet *Isaiah*: Yet now his Successors would be authorized to say to some persons, *You do not thirst*, tho themselves say they do; and do deny them Milk and Water, Bread and Wine, when they seek and request it; surely therefore it is not proper for Pastors, for Feeders of Flocks, to deny Food to any of their Flock who shall desire it. But some have said, That it is the part of a good Shepherd, if he see one of his Sheep going astray into a Ground where the Grass will bring the Rot, to chase him out of that Pasture: And they apply it to Spiritual Pastors suspending those

An. 1645. from the Sacrament whom they fear by the unworthy receiving of it, may eat and drink their own Damnation: This may be a charitable Simile, but will hardly be found a full Anſwer: For it is not the receiving of the Sacrament, but the Unworthineſs of the Receiver, that brings deſtruction; and whether he be unworthy or not, is not in the judgment of Paſtor, or any other, but of the Party only who is the Sinner; for no man can know his heart but himſelf; and a Commiſſion will ſcarce be produced, for any other man to be Judge thereof. The Perſon refuſed, may ſay to the Paſtor in this Caſe, *Quis conſtituit te Judicem?* Beſides, the Authority deſired is not only of *Suſpenſion*; but of *Excommunication*, which is a total driving or thundring away of the Party from all Spiritual Food whatſoever. And if a Shepherd ſhall chaſe away his Sheep from all Paſtures, that indeed will bring the Hunger-Rot upon them. Undoubtedly the more ignorant and ſinful Perſons are, the more they have need of Inſtruction; and where can they have it better, than from the Lips of the Learned and Pious Paſtors, which ought to preſerve Knowledge. But it hath been ſaid, That the *Ruling Elders* are to join with them: Let us enquire who they are; In ſome Congregations in Country Villages, perhaps they may not be very learned themſelves, yet the Authority to be given them is ſufficiently great. The word *Elders* amongſt the *Hebrews* ſignified the men of greateſt Power and Dignity. The Members of their great *Sanhedrim* were ſtiled *Elders*; ſo were the Princes of their Tribes. The *Grecians* had the Appellation in like eſteem; Πρεσβύτεροι, which we tranſlate *Elders*, was given to their greateſt men; and from thence is fetch'd the Name of *Presbyters*, or *Prieſt*, *Presbytery*, and *Presbyterian* Government. The *Phœnicians*, *Tyrians*, and other particular Nations, uſed the word *Elder* in the like ſenſe, and ſtiled their Generals and Princes by the Name of *Elders*. The *Romans* did the like; their *Senate* and *Senators*, came all from *Senes*, *Elders*: And from them to this day the *French*, *Spaniards*, and *Italians*, retain the Titles of *Seigneur*, *Seigniori*, *Seniori*, and the like, for their greateſt men. And in *England*, we give the Name of *Earls* to our great Lords, from *Elder*; and to the King himſelf the Title of *Sir*, abſtracted from *Seigneur*, an *Elder*. In Towns they ſtill keep the Title of Aldermen, that is, *Eldermen*, for the Chief and Rulers of the Corporation: And ſo they may allow the Title of *Elders* to the chief and ſelect men of every Presbytery: Yet if this Power of *Excommunication* and *Suſpenſion* be allowed them, they may well challenge the Title of *Elders* in the higheſt ſignification. The Power of the Keys is a great Power; the *Romiſh* Church will acknowledge it, and the Foundation of their Supremacy to be built upon it: Whatſoever they bind or looſe on Earth, to be bound or looſed in Heaven, is a Power that may claim the higheſt Title imaginable.

And though I can never preſume that the Reverend and Pious Learned Gentlemen who aim at this Power, can have the leaſt ſuppoſition of any ſuch effect by it; yet if any Petitioners ſhould ſue to you to be made Judges or Juſtices, I believe you would judge their Petition the leſs modeſt, and them the leſs fit for ſuch Offices. But to this I make no Application, and I hope none ſhall make any uſe of it. But I am ſure the matter here deſired, deſerves great Conſideration: Power is deſired to be given to ſuſpend from the Sacrament two ſorts of perſons; and Who are they? The *Ignorant* and the *Scandalous*? Now I am ſure that I am a very Ignorant perſon; and I fear we are all more ignorant than we ought to be of the Truths of Chriſt, and ſome more than others; and the moſt Learned, I doubt, may be called in the large ſenſe Ignorant. Even perhaps amongſt the Paſtors and Ruling Elders in ſome places, the moſt Learned may in other places be adjudged Ignorant. But the more Ignorant people are, the more ſome will blame their Paſtors, who ought to inſtruct them, and by private Conference inform them, and rectify their Underſtandings; and that is a good part of Spiritual Food. But to keep an Ignorant perſon from the Ordinances, is no way to improve his Knowledge.

Scandalous Perſons are likewiſe to be ſuſpended; and who ſhall be ſaid to be ſcandalous, is to be referred to the Judgment of the Paſtors and Ruling Elders. But where a Commiſſion is extant for them to execute this Judicature, will be hard to ſhew. Both Paſtors, and Elders, and People, are all ſcandalous in the general ſenſe; we are all of us groſs Sinners, and our beſt Performances, as far as they are imperfect, are but ſcandalous to the true and ſincere Profeſſion of

21 *Caroli.*

of the Goſpel of Chriſt. Thoſe who are ſcandalous Sinners ought to be admoniſhed to forſake their evil ways, and to amend their lives; and where can they receive this Admonition, and hope for more Conviction of their Conſciences, than by hearing good Sermons, and being admitted to be Partakers of the Holy Ordinances? But to excommunicate them, deprives them wholly of the beſt means for their cure. The beſt Excommunication is for Paſtors, Elders and People to excommunicate Sin out of their own Hearts and Converſations; to ſuſpend themſelves from all Works of Iniquity: This is a Power which put in execution, through the Aſſiſtance of the Spirit of God, will prevent all Diſputes about *Excommunication* and *Suſpenſion* from the Sacrament. A man may be a good Phyſician, tho he never cut off a Member from any of his Patients: A Body may be very ſound, tho no Member of, it was ever cut off: And ſurely a Church may be a good Church, tho no Member of it hath ever been cut off. I have heard many Complaints of the Juriſdiction formerly exerciſed by the Prelates, who were but a few; here will be by the paſſing of this now deſired, a great Multiplication of Spiritual men in Government. Where the Temporal Sword (the Magiſtracy) is ſufficient for Puniſhment of Offences, there will be little need for this new Diſcipline, nor will it be ſo eaſily granted.

The Debate of this Affair, and other Points of Church-Government, took up at times the Debates of the Houſe for ſeveral Months.

Votes for Propoſitions to be ſent to the King for Peace, *Aug.* 7.

The Commons on *Wedneſday, Auguſt* 7. took into Conſideration the ſending of Propoſitions for Peace to the King; and paſſed the following Votes:

1. That to declare their Affections to the Peace of the Kingdom, and that there was nothing ſo much deſired by them as a firm Agreement between his Majeſty and both Houſes, they had concluded that ſome Propoſitions or Reſolutions tending to a firm and well-grounded Peace, ſhould be ſent to his Majeſty.

2. That in regard they had met with ſo many Deluſions in the way of Treaty, they would henceforth admit of no Treaty nor Debate by Commiſſioners.

3. That ſuch Propoſitions as ſhall be ſent, ſhall be drawn up into Bills, that ſo the Royal Aſſent being deſired and had thereunto, they may become Acts of Parliament.

4. That the *Scotiſh* Commiſſioners ſhould be acquainted with theſe their Votes and Reſolutions.

After which, the ſaid Votes being at a Conference communicated to the Lords, they concurred therein. And afterwards the Commons appointed the *Tueſday* and *Thurſday* in every Week to be ſet aſide for the debating the Propoſitions intended to be ſent; which held them in hand for many Weeks, even almoſt to the End of this Year.

An Ordinance for putting the Directory in execution, *Aug.* 23. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the more effectual putting in execution the Directory for Publick Worſhip, in all Pariſh Churches and Chappels within the Kingdom of England, *and Dominion of* Wales: *And for diſperſing of them in all Places and Pariſhes in* England *and* Wales.

WHereas by an Ordinance of Parliament made the Third Day of *January* laſt paſt, and entituled, *An Ordinance of Parliament for the taking away the Book of Common-Prayer, and for eſtabliſhing and putting in execution of the Directory for the Publick Worſhip of God*; it was (amongſt other things therein contained) ordained, That the ſaid Book of Common-Prayer ſhould not remain or be from thenceforth uſed in any Church, Chappel, and Place of Publick Worſhip, within the Kingdom of *England*, and Dominion of *Wales*; and that the Directory for Publick Worſhip in the ſaid recited Ordinance ſet forth, ſhould be from thenceforth uſed, purſued, and obſerved, according to the true intent and meaning of the ſaid Ordinance, in all Exerciſes of the Publick Worſhip of God, in every Congregation, Church, Chappel, and Place

An. 1645. Place of Publick Worſhip, within this Kingdom of *England*, and Dominion of *Wales*: Yet nevertheleſs in regard that in or by the ſaid recited Ordinance there was no ſpecial direction made or contained for the ſpeedy diſperſing of the ſaid Directory into the ſeveral Pariſhes within the Kingdom of *England* and Dominion of *Wales*, and publiſhing of the ſame Directory; nor any Puniſhment ſet down either for the uſing of the ſaid Book of Common-Prayer or for the non-uſing or depraving of the ſaid Directory; by means whereof there hath been as yet little fruit of the ſaid Ordinance: The Lords and Commons aſſembled in Parliament, taking the Premiſes into ſerious Conſideration, do Ordain, That the Knights and Burgeſſes of the ſeveral Counties, ſhall ſend Printed Books of the ſaid Directory for God's Worſhip, fairly bound up in Leather, unto the Committees of Parliament reſiding in the ſaid ſeveral reſpective Counties; who ſhall with all convenient ſpeed ſend the ſame, and cauſe them to be delivered unto the ſeveral reſpective Conſtables or other Officers of all the ſeveral Pariſhes and reſpective Chappelries and Donatives within the Kingdom of *England*, and Dominion of *Wales*, and Port and Town of *Berwick*: (That is to ſay), One Book unto the reſpective Conſtables and other Officers of every one of the ſaid Pariſhes, Chappelries, and Donatives; to be paid for by the Inhabitants within the ſaid ſeveral Pariſhes and Chappelries.

And it is further hereby ordained by the Lords and Commons, That the ſeveral and reſpective Conſtables or other Officers, ſhall within one Week after their Receits of the ſaid Books of the Directory, deliver the ſaid Books unto the ſeveral and reſpective Miniſters of the ſaid Pariſhes; upon pain that every of the ſaid Conſtables or other Officers that ſhall make default therein, ſhall forfeit and pay for every ſuch default, the Sum of Five Shillings of lawful *Engliſh* Money.

And it is further hereby ordained by the ſaid Lords and Commons, That the ſaid ſeveral Miniſters ſhall on the next Lords Day after their Receipts of the ſaid Books of the Directory, before the Morning-Sermon openly read in their ſeveral Churches and Chappels, the ſaid Directory for the Publick Worſhip of God.

And it is further hereby ordained by the ſaid Lords and Commons, That if any Perſon or Perſons whatſoever ſhall at any time or times hereafter uſe, or cauſe the aforeſaid Book of Common-Prayer to be uſed in any Church, Chappel, or Publick Place of Worſhip, or in any private place or Family within the Kingdom of *England*, or Dominion of *Wales*, or Port and Town of *Berwick*, That then every ſuch perſon ſo offending therein, ſhall for the firſt Offence forfeit and pay the Sum of Five Pounds of lawful *Engliſh* Money: For the ſecond Offence the Sum of Ten Pounds: And for the Third Offence ſhall ſuffer One whole Year's Impriſonment, without Bail or Mainprize.

And it is further hereby ordained by the ſaid Lords and Commons, That the ſeveral and reſpective Miniſters of all Pariſhes, Churches, and Chappels, within the ſaid Kingdom of *England*, and Dominion of *Wales*, and Town and Port of *Berwick*, ſhall reſpectively from time to time, and at all times hereafter (as much as ſhall in them lye) purſue and obſerve the Directory for Publick Worſhip, eſtabliſhed by Ordinance of Parliament, according to the true intent and meaning thereof.

And it is further ordained, That every Miniſter which ſhall not henceforth purſue and obſerve the Directory for Publick Worſhip, according to the true intent and meaning thereof, in all the Exerciſes of the Publick Worſhip of God, within this Realm of *England*, and Dominion of *Wales*, and within the Town and Port of *Berwick*, ſhall for every time he ſhall ſo offend, loſe and forfeit the Sum of Forty Shillings of lawful *Engliſh* Money. And that what Perſon ſoever ſhall, with intent to bring the ſaid Directory into Contempt and Neglect, or to raiſe oppoſition againſt it, Preach, Write, Print, or cauſe to be Written or Printed, any thing in the derogation or depraving of the ſaid Book, or any thing therein contained, or any part thereof, ſhall loſe and forfeit for every ſuch Offence, ſuch a Sum of Money as ſhall at the time of his Conviction be thought fit to be impoſed on him by thoſe before whom he ſhall have his Trial; provided that it be not leſs than Five Pounds, nor exceeding the Sum of Fifty Pounds.

And be it further ordained by the Authority aforeſaid, That no perſon or perſons

perſons ſhall be at any time hereafter impeached or moleſted of or for any of the Offences laſt above mentioned, hereafter to be committed or done contrary to this Ordinance, unleſs he or they ſo offending be thereof Indicted at the next or ſecond General Seſſions, to be holden before any Juſtice of *Oyer* and *Terminer*, or Juſtices of Aſſize, or before the Juſtices of the Peace at their General Quarter-Seſſions next after any Offence committed or done, contrary to the Tenor of this Ordinance; and that he be thereof lawfully Convicted, according to the Laws of this Realm, by Verdict of Twelve Men, or by his own Confeſſion. 22 Caroli.

Provided alſo, and be it ordained by the Authority aforeſaid, That the Lord-Mayor of *London*, and all other Mayors, Bayliffs, and all other Head-Officers of all and ſingular Cities, Boroughs, and Towns Corporate, within this Realm, and Dominion of *Wales*, to the which Juſtices of the Aſſize do not commonly repair, and that have Commiſſions of Gaol-delivery directed to them, or are Counties of themſelves, ſhall have full Power and Authority by virtue of this Ordinance, to enquire, hear, and determine the Offences aforementioned, and every of them, Yearly, within Fifteen Days after the Twenty fifth day of *March*, and the Nine and twentieth Day of *September*, in like manner and form as Juſtices of Aſſize, and *Oyer* and *Terminer*, may do.

And it is further ordained by the Authority aforeſaid, That all Mulcts and Penalties inflicted by this Ordinance, not exceeding the Sum of Five Pounds, ſhall be levied and paid to the uſe of the Poor of the Pariſh where the ſaid Offence hath been committed; and that all other Fines exceeding the ſaid Sum of Five Pounds, ſhall be to the uſe of the Poor of the County, City, or Headborough reſpectively, where the ſaid Offences ſhall be committed; to be diſpoſed of by the Juſtices of the Peace, Mayors, or Bayliffs reſpectively, at the next General Seſſions where and when the ſaid Sums ſhall be adjudged.

It is further ordered and ordained, That all Common-Prayer Books remaining in Pariſh-Churches and Chappels, ſhall within a Month after the publiſhing of this Ordinance, be by the Churchwardens or Conſtables of the reſpective Pariſhes, under the Penalty of Forty Shillings, to be employed as aforeſaid, carried unto the Committees of the reſpective Counties where they ſhall be found, to be diſpoſed of as the Parliament ſhall direct.

By the KING.

His Majeſty's Proclamation concerning the Book of Common-Prayer, and the Directory for Publick Worſhip.

His Majeſty's Proclamation touching the Book of Common-Prayer and Directory, *Nov.* 13. 1645.

WHereas by a Printed Paper dated the Third of *January* laſt paſt, entituled, *An Ordinance of Parliament for taking away the Book of Common-Prayer, and for eſtabliſhing and putting in execution of the Directory for the Publick Worſhip of God*; it is ſaid to be ordained, amongſt other things, That the Book of Common-Prayer ſhould not remain, nor be from thence uſed in any Church or Chappel, or place of Publick Worſhip, within the Kingdom of *England*, and Dominion of *Wales*: And that the Directory for Publick Worſhip in that Paper ſet forth, ſhould be from thenceforth uſed, purſued, and obſerved, in all Exerciſes of Publick Worſhip of God, in every Congregation, Church, Chappel, and Place of Publick Worſhip. And by another printed Paper dated the 23d day of *Auguſt* laſt paſt, entituled, *An Ordinance of the Lords and Commons aſſembled in Parliament, for the more effectual putting in execution the Directory for Publick Worſhip*, &c. particular Directions are ſet down for the diſperſing, publiſhing, and uſe of the ſaid Directory in all Pariſhes, Chappels, and Donatives; for the calling in and ſuppreſſing of all Books of Common Prayer, on the ſeveral Forfeitures and Penalties, to be levied and impoſed upon Conviction before Juſtices of Aſſize, or of *Oyer* and *Terminer*, and of the Peace; as by the ſaid Two printed Papers may appear.

And taking into our Conſideration, That the Common-Prayer which is thus endeavoured to be aboliſhed, was compiled in the times of Reformation, by the moſt Learned and Pious men of that Age, and defended and continued with the Martyrdom of many; and was firſt eſtabliſh'd by Act of Parliament in the time of King *Edward* the Sixth, and never repealed nor laid aſide,

An. 1645. aſide, ſave only in that ſhort time of Queen *Mary*'s Reign, and upon the Return of Popery and Superſtition. And in the Firſt Year of Queen *Elizabeth* it was again revived and eſtabliſhed by Act of Parliament; and the Repeal of it then declared by the whole Parliament to have been to the great Decay of the due Honour of God, and diſcomfort of the Profeſſors of the Truth of Chriſtian Religion; and ever ſince, it hath been uſed and obſerved for above Fourſcore Years together, in the beſt times of Peace and Plenty that ever this Kingdom enjoyed; and that it contains in it an excellent Form of Worſhip and Service of God, grounded upon the Holy Scriptures; is a ſingular means and help to Devotion in all Congregations; and that, or ſome other of the like Form ſimply neceſſary in thoſe many Congregations which cannot otherwiſe be ſupplied by Learned and Able Men, and keeps an Uniformity in the Church of *England*. And that the *Directory*, ſought to be introduced, is a means to open the way, and to give the liberty to all Ignorant, Factious, and Evil men, to broach their own Fancies and Conceits, be they never ſo wicked or erroneous; and to miſlead people into Sin and Rebellion; and to utter thoſe things, even in that which they make for long Prayer in their Congregations in God's preſence, which no Conſcientious man can aſſent or ſay *Amen* to. And be the Miniſter never ſo Pious and Religious, yet it will break that Uniformity which hitherto hath been held in God's Service, and be a means to raiſe Factions and Diviſions in the Church: And thoſe many Congregations in this Kingdom, where Able and Religious Miniſters cannot be maintained, muſt be left deſtitute of all help and means for the Publick Worſhip and Service of God. And obſerving likewiſe, That no Reaſon is given for this *Inconveniency alledged in the general*; And whether Pride and Avarice be not the Ground, whether Rebellion and Deſtruction of Monarchy be not the Intention of ſome, and Sacrilege and the Churches Poſſeſſions the Aims and Hopes of others; and theſe *New Directories* the means to prepare and draw the People in for all, we leave to him who ſearches and knows the hearts of men.

And taking into our Conſideration, That this Alteration is introduced by Colour of Ordinance of Parliament, made without and againſt our Conſent, and againſt an expreſs Act of Parliament ſtill in force: And the ſame Ordinances of Parliament made as perpetual binding Laws, inflicting Penalties and Puniſhments which were never (before theſe Times) ſo much as pretended to have been the Uſe or Power of Ordinances of Parliament, without any expreſs Act of Parliament, to which we are to be Parties. Now leſt our Silence ſhould be interpreted by ſome as Connivance or Indifferency in us, in a Matter ſo highly concerning the Worſhip and Service of God, the Peace and Unity of the Church and State, and the Eſtabliſh'd Laws of the Kingdom; We have therefore thought fit to publiſh our Proclamation, and do hereby require and command all and ſingular Miniſters, in all Cathedral and Pariſh-Churches, and other places of Publick Worſhip, within our Kingdom of *England*, or Dominion of *Wales*, and all others to whom it ſhall appertain, That the ſaid Book of Common-Prayer be kept and uſed in all Churches, Chappels, and places of Publick Worſhip, according to the ſaid Statute made in that behalf, in the ſaid Firſt Year of the ſaid late Queen *Elizabeth*. And that the ſaid Directory be in no ſort admitted, received, or uſed; the ſaid pretended Ordinances, or any thing in them contained to the contrary notwithſtanding. And we do hereby let them know, That whenſoever it ſhall pleaſe God to reſtore us to Peace, and the Laws to their due courſe, wherein we doubt not of his Aſſiſtance in his good time, we ſhall require a ſtrict Account and Proſecution againſt the Breakers of the ſaid Law, according to the Scope thereof. And in the mean time, in ſuch places where we ſhall come, and find the Book of Common-Prayer ſuppreſſed and laid aſide, and the Directory introduced, we ſhall account all thoſe that ſhall be Aiders, Actors, or Contrivers therein, to be perſons diſaffected to the Religion and Laws eſtabliſh'd. And this they muſt expect, beſides the great Loſs they ſhall ſuſtain by ſuffering themſelves to be deprived of the Uſe and Comfort of the ſaid Book.

Given at our Court at Oxford, *the* 13th *Day of* November, *in the One and twentieth Year of our Reign.*

An

21 *Caroli.*

An Ordinance of Parliament for taking away the Fifth Part *of Delinquents Eſtates, formerly granted their Wives and Children.*

To take away 5th Part from Delinquent's Wives and Children, *Sept.* 8.

WHereas by a late Ordinance of Sequeſtration, it is amongſt other things declared and ordained, That the Committees of the ſeveral Counties ſhall have power to aſſign Maintenance out of the Lands of Delinquents, to their ſeveral Wives and Children, ſo as the ſame exceed not the Fifth Part of the Lands or Goods ſo ſequeſtred: And whereas by occaſion hereof divers Wives and Children of Delinquents may reſort hither, only to obtain the ſaid Fifth Part, and may be ready to do Ill Offices to the Parliament: The Lords and Commons, to prevent the ſaid Miſchief, and other of like nature, do ordain, That no Wife, Child, or Children of any Delinquent, who ſhall come from their own Habitation into the Parliament Quarters, with or without their Fathers or Husbands, from the King's Quarters, ſhall have, hold, and enjoy any Fifth Part by the ſaid Ordinance. And therefore they do ordain, That all ſuch Allowances hereafter to be made to ſuch Wife or Children, ſhall be utterly void. And if any ſuch Wife, Child, or Children, ſhall return from the King's Quarters without leave of both Houſes; The Deputy Lieutenants and Committees of Parliament in the ſeveral Counties, or any Two of them, are hereby authorized and required to take care that they be commanded to return back into the King's Quarters: And if they ſhall not return upon Command given to them by the Deputy-Lieutenants, or Committee, or any Two of them, they ſhall hereby have power to Commit them, until they ſhall give Security to return. And be it further ordained, That no Children of any Delinquents ſhall have any Fifth Part, but ſuch as ſhall be Educated and brought up in the Proteſtant Religion.

Die Lunæ, 8. Septemb. 1645.

A Declaration of the Lords and Commons aſſembled in Parliament, concerning the Inhabitants of Wales.

Ordinance concerning the Inhabitants of *Wales*, *Sept.* 8. 1645.

WHereas the Lords and Commons aſſembled in Parliament are informed, That by the ſubtile and malicious Practices of a Popiſh and Malignant Party, oppoſite to God's Cauſe, and the Proſperity of this Kingdom, it hath been inſinuated and infuſed into ſundry of the Inhabitants of his Majeſty's Dominions of *Wales*, to diſaffect and poiſon them againſt the Proceedings of the Parliament, That it was their Intention to gratify our Brethren of *Scotland* for their Aſſiſtance in theſe our Extremities, drawn upon us by the ſaid Popiſh and Malignant Party, with the Eſtates and Lands of the ſaid Inhabitants; which is ſo abſolutely falſe, that it never entred into their thoughts, and conſequently needed no Refutation: Yet that the Subjects of this Kingdom, inhabiting within the ſaid Dominion of *Wales*, may receive full and befitting Satisfaction, and we and our Brethren of *Scotland*, in vindication againſt ſo foul and barbarous an Aſperſion, the ſaid Lords and Commons do teſtify and declare to all perſons whatſoever, to whom theſe ſhall come, That they do much abhor and deteſt an Act of ſuch Injuſtice and Inhumanity: And that they are ſo far from doing any ſuch thing, that if any of the ſaid Inhabitants, upon due ſenſe and ſorrow for any of their Crimes and Miſdemeanors committed againſt the preſent Parliament, ſhall ſubmit, and apply themſelves by humble Petition to the Parliament, and deſire the Favour of, and Reconciliation to the ſame, the ſaid Lords and Commons will be thereupon ready to receive any and all ſuch, upon ſuch reaſonable Terms, as the Wiſdom of the Parliament ſhall think in ſome meaſure proportionable to the qualities and degrees of their ſeveral Offences, and thereupon yield them all ſuch Aid and Aſſiſtance as they ſhall reaſonably deſire, and the Parliament be able to afford. Provided always, That this ſhall not extend to any that are excepted from Pardon, within the Propoſitions lately preſented to his Majeſty for a ſafe and well-grounded Peace.

Die Veneris 28. *Septemb.* 1645. There paſs'd an Ordinance for Paying to the Earl of *Eſſex*, and ſetling upon him, Ten Thouſand Pounds *per Annum*.

An. 1645.

Die Lunæ, 20. Octob. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament, about Suſpenſion from the Lord's Supper.

About Suſpenſion from the Sacrament.

THE Lords and Commons conſidering the wonderful Providence of God in calling them to this great and difficult work of reforming and purging his Church and People, his guidance and manifeſt protection of them in it, do acknowledge that never any of his Servants ſince the foundation of the World, had more high and ſtrong engagements heartily and ſincerely to endeavour the compleat Eſtabliſhment of Purity and Unity in the Church of God than they have; They do therefore require all Miniſters and Elders, That they be careful to walk with underſtanding in the Houſe of God; That by Example, Exhortations, and Admonitions, they endeavour to build up the People of the Lord in Love; That with Humility and Meekneſs of Spirit they adorn their holy Profeſſion, and win Souls to the love of the Truth; That they be diligent and faithful in the Work, as thoſe that muſt give an account. And where groſs Ignorance or notorious Scandal ſhall appear, for the Remedy thereof, and to prevent the Evils that may come thereby, the Lords and Commons do ordain, and it is hereby ordained, That the ſeveral Elderſhips reſpectively within their reſpective Bounds and Limits, have power to ſuſpend from the Sacrament of the Lord's Supper, all Ignorant and Scandalous perſons within the Rules hereafter following, and according to the ſaid Rules and Directions.

Rules and Directions concerning Suſpenſion from the Sacrament of the Lord's Supper, in caſe of Ignorance.

1. All ſuch perſons who ſhall be admitted to the Sacrament of the Lord's Supper, ought to know that there is a God; That there is but one ever-living and true God, Maker of Heaven and Earth, and Governor of all things: That this only true God, is the God whom we worſhip: That this God is but One, yet Three diſtinct Perſons, the Father, Son, and Holy Ghoſt, all equally God.

2. That God created man after his own Image, in knowledge, righteouſneſs, and true holineſs: That by one man ſin entred into the world, and death by ſin, and ſo death paſſed upon all men, for that all have ſinned: That thereby they are all dead in treſpaſſes and ſins, and are by nature the children of wrath, and ſo liable to eternal death, the wages of every ſin.

3. That there is but one Mediator between God and Man, the Man Chriſt Jeſus, who is alſo over all, God bleſſed for ever; neither is there ſalvation in any other: That he was conceived by the Holy Ghoſt, and born of the Virgin *Mary*: That he died upon the Croſs to ſave his people from their ſins; That he roſe again the third day from the dead, aſcended into Heaven, ſits at the Right Hand of God, and makes continual Interceſſion for us; of whoſe fulneſs we receive all Grace neceſſary to Salvation.

4. That Chriſt and his Benefits are applied only by Faith: That Faith is the Gift of God, and that we have it not of our ſelves, but it is wrought in us by the Word and Spirit of God.

That Faith is that Grace whereby we believe and truſt in Chriſt for remiſſion of ſins, and life everlaſting; according to the promiſe of the Goſpel, That whoſoever believes not on the Son of God, ſhall not ſee life, but ſhall periſh eternally.

That they who truly repent of their ſins, do ſee them, ſorrow for them, and turn from them to the Lord; and that except men repent, they ſhall ſurely periſh.

That a godly life is conſcionably ordered according to the Word of God, in Holineſs and Righteouſneſs, without which no man ſhall ſee God.

That the Sacraments are Seals of the Covenant of Grace in the Blood of Chriſt: That the Sacraments of the New Teſtament are Baptiſm and the Lord's Supper: That the outward Elements in the Lord's Supper are Bread and Wine, and do ſignify the Body and Blood of Chriſt crucified, which the worthy Receiver by Faith doth partake of in this Sacrament, which Chriſt hath

hath likewiſe ordained for a Remembrance of his Death: That whoſoever eats and drinks unworthily, is guilty of the Body and Blood of the Lord; and therefore that every one is to examine himſelf, leſt he eat and drink Judgment to himſelf, not diſcerning the Lord's Body.

That the Souls of the Faithful after death do immediately live with Chriſt in Bleſſedneſs, and that the Souls of the wicked do immediately go into Hell-Torments. That there ſhall be a Reſurrection of the Bodies both of the juſt and unjuſt at the laſt day, at which time all ſhall appear before the Judgment Seat of Chriſt, to receive according to what they have done in the body, whether it be good or evil: And that the righteous ſhall go into life eternal, and the wicked into everlaſting puniſhment.

And it is further ordained by the Lords and Commons, That thoſe who have a competent meaſure of underſtanding concerning the matters contained in theſe Articles, ſhall not be kept back from the Sacrament of the Lord's Supper for Ignorance: And that the Examination and Judgment of ſuch Perſons as ſhall for their ignorance of the aforeſaid Points of Religion not to be admitted to the Sacrament of the Lord's Supper, is to be in the power of the Elderſhip of every Congregation.

Rules and Directions concerning Suſpenſion from the Sacrament of the Lord's Supper, in caſes of Scandal.

The ſeveral and reſpective Elderſhips ſhall have power to ſuſpend from the Sacrament of the Lord's Supper all Scandalous perſons hereafter mentioned, appearing to be ſuch upon juſt proof thereof made, in ſuch manner as is by this preſent Ordinance hereafter appointed, and not otherwiſe, until it be otherwiſe declared by both Houſes of Parliament, how notoriouſly ſcandalous perſons, other than ſuch as are herein expreſſed, ſhall be kept from the Sacrament of the Lord's Supper: That is to ſay, All perſons that ſhall blaſphemouſly ſpeak or write any thing of God, his holy Word, or Sacraments. An Inceſtuous perſon. An Adulterer. A Fornicator. A Drunkard. A prophane Swearer or Curſer. One that hath taken away the life of any perſon maliciouſly. All Worſhippers of Images, Croſſes, Crucifixes, or Relicks: All that ſhall make any Images of the Trinity, or of any Perſon thereof. All religious Worſhippers of Saints, Angels, or any mere Creature. Any Perſon that ſhall profeſs himſelf not to be in charity with his Neighbour. Any Perſon that ſhall challenge any other Perſon by Word, Meſſage, or Writing, to fight, or that ſhall accept ſuch Challenge, and agree thereto. Any Perſon that ſhall knowingly carry any ſuch Challenge by word, meſſage, or writing. Any Perſon that ſhall upon the Lord's Day uſe any Dancing, playing at Dice or Cards, or any other Game: Maſquing, Wake, Shooting, Bowling, playing at Foot-ball, or Stool-ball, Wreſtling; or that ſhall make, or reſort unto any Plays, Interludes, Fencing, Bull-baiting, or Bear-baiting; or that ſhall uſe Hawking, Hunting, or Courſing, Fiſhing, or Fowling; or that ſhall publickly expoſe any Wares to ſale, otherwiſe than as is provided by an Ordinance of Parliament of the *6th* of *April*, 1644. Any Perſon that ſhall travel upon the Lord's Day, without reaſonable cauſe. Any Perſon that keepeth a known Stews or Brothel-houſe, or that ſhall ſollicit the Chaſtity of any Perſon for himſelf or any other. Any Perſon, Father or Mother, that ſhall conſent to the Marriage of their Child to a Papiſt, or any Perſon that ſhall marry a Papiſt. Any Perſon that ſhall repair for any advice unto any Witch, Wizard, or Fortune-teller. Any Perſon that ſhall aſſault his Parents, or any Magiſtrate, Miniſter, or Elder, in the execution of his Office. Any Perſon that ſhall be legally attainted of Barretry, Forgery, Extortion, or Bribery. And the ſeveral and reſpective Elderſhips ſhall have power likewiſe to ſuſpend from the Sacrament of the Lord's Supper all Miniſters that ſhall be duly proved to be guilty of any of the Crimes aforeſaid, from giving or receiving the Sacrament of the Lord's Supper.

And it is further ordained by the Lords and Commons, That the Elderſhip of every Congregation ſhall have power to examine any perſon complained of for any matter of Scandal aforeſaid; and upon confeſſion of the Party before the Elderſhip to have committed ſuch an offence, to ſuſpend any ſuch perſon from the Sacrament of the Lord's Supper. The Elderſhip of every Congregation ſhall examine upon Oath ſuch Witneſſes as ſhall be produced before them,

An. 1645. either for the acquitting or condemning of the Party accuſed of any of the ſcandalous Crimes aforeſaid, not capital. The Elderſhip of every Congregation ſhall judge the matter of Scandal aforeſaid, being not capital, upon the teſtimony of two credible Witneſſes at the leaſt. Satisfaction ſhall be given to the Elderſhip of every Congregation, by ſufficient manifeſtation of the Offenders Repentance, before a perſon lawfully convicted of ſuch matters of Scandal as aforeſaid, and thereupon ſuſpended from the Sacrament of the Lord's Supper, be admitted thereunto. If any perſon ſuſpended from the Lord's Supper, ſhall find himſelf grieved with the proceedings before the Elderſhip of any Congregation, he ſhall have liberty to appeal to the Claſſical Elderſhip, and from them to the Provincial Aſſembly, from thence to the National, and from thence to the Parliament. And be it further ordained by the Lords and Commons, That the ſeveral and reſpective Elderſhips in their ſeveral reſpective Proceedings, ſhall obſerve theſe enſuing Cautions.

Caution 1. That cognizance and examination of any capital Offence, ſhall be by the Magiſtrate thereunto appointed by the Law of the Kingdom, who if he ſhall commit the Party queſtioned to Priſon, or ſecure him or her by Bail, he ſhall thereof make a Certificate unto the Elderſhip of the Congregation where he or ſhe did laſt reſide, or to any other Neighbouring Elderſhip, who ſhall thereupon have Power to ſuſpend the Party from the Sacrament of the Lord's Supper.

2. The Presbytery or Elderſhip ſhall not have cognizance of any thing wherein any matter of Payment, Contract, or Demand is concerned; or of any matter of Conveyance, Title, Intereſt, or Property, in Lands or Goods.

3. No uſe ſhall be made of any Confeſſion or Proof made before the Elderſhip, at any Trial at Law of any perſon for any Offence.

And it is further ordained, That the Members of both Houſes that now are Members of the Aſſembly of Divines, or any Seven of them, be a Standing Committee of both Houſes of Parliament, to conſider of Cauſes of Suſpenſion from the Sacrament of the Lord's Supper, not contained in this Ordinance; unto which Committee any Elderſhip ſhall preſent ſuch Cauſes, to the end that the Parliament, if need require, may hear and determine the ſame: That if any other notorious and ſcandalous Sins, beſides thoſe nominated in this Ordinance, which may be conceived to be a Cauſe to ſuſpend from the Lord's Supper, ſhall be certified to any Claſſis, either from any Congregational Elderſhip, or otherwiſe, which the ſaid Claſſis ſhall think fit to preſent to the ſtanding Committee of Parliament: That the ſaid Claſſis ſhall preſent the ſame to the ſaid Committee, to the end that the Parliament, if need require, may hear and determine the ſame.

Die Sabbathi, 8. Novemb. 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the Ordination of Miniſters.

WHereas the word *Presbyter*, that is to ſay, Elder, and the word *Biſhop* do in the Scripture intend and ſignify one and the ſame Function, altho the Title of Biſhop hath been by corrupt cuſtom appropriated to one, and that unto him aſcribed, and by him aſſumed, as in other things, ſo in the matter of Ordination, that was not meet; which Ordination notwithſtanding being performed by him, a Presbyter joined with other Presbyters, we hold for ſubſtance to be valid, and not to be diſclaimed by any that have received it; and that Presbyters ſo ordained, being lawfully thereunto appointed and authorized, may ordain other Presbyters. And whereas it is alſo manifeſt by the Word of God, that no man ought to take upon him the Office of a Miniſter, until he be lawfully called and ordained thereunto; and that the work of Ordination, that is to ſay, an outward ſolemn ſetting apart of perſons for the Office of the Miniſtry in the Church, by preaching Presbyters, is an Ordinance of Chriſt, and is to be performed with all due care, wiſdom, gravity, and ſolemnity. It is ordained by the Lords and Commons aſſembled in Parliament, and by the Authority of the ſame, (after Advice had with the Aſſembly of Divines now convened at *Weſtminſter*,) That the ſeveral and reſpective Claſſical Presbyters, which in their ſeveral and reſpective bounds may examine, approve,

approve, and ordain Presbyters, according to the Directory for Ordination, and Rules for Examination, hereafter expreſſed; that is to ſay,

First, That he that is to be ordained, muſt addreſs himſelf to the Presbytery, and bring with him a Teſtimonial of his taking the Covenant of the Three Kingdoms; of his Diligence and Proficiency in his Studies; what Degrees he hath taken in the Univerſity, and what hath been the time of his Abode there, and withal of his Age, which is to be Twenty four Years at leaſt; but eſpecially of his Life and Converſation.

Secondly, The Presbytery ſhall proceed to enquire touching the Grace of God in him, and whether he be of ſuch Holineſs of Life as is requiſite in a Miniſter of the Goſpel; and to examine him touching his Learning and Sufficiency, and touching the Evidence of his Calling to the holy Miniſtry, and in particular, his fair and direct Calling to that Place to which he is deſigned.

The Rules for Examination are theſe:

1. *That the Party examined be dealt with in a brotherly way, with mildneſs of ſpirit, and with ſpecial reſpect to the gravity, modeſty, and quality of every one.*

2. *He ſhall be examined touching his skill in the Original Tongues; and that Trial to be made by reading the* Hebrew *and* Greek *Teſtament, and rendring ſome Portions of them into* Latin; *and enquiry alſo ſhall be made after his other Learning, and whether he hath skill in Logick and Philoſophy.*

3. *What Authors in Divinity he hath read, and is beſt acquainted with; and Trial ſhall be made of his knowledge in the chief grounds of Religion, and of his ability to defend the Orthodox Doctrine contained in them, againſt all unſound and erroneous Opinions, eſpecially thoſe of the preſent Age; of his skill in the ſenſe and meaning of ſuch places of Scripture as ſhall be propoſed unto him in Caſes of Conſcience, and in the Chronology of Scripture, and of the Eccleſiaſtical Hiſtory.*

4. *If he hath not before preached in publick, with approbation of ſuch as are able to judge, he ſhall at a competent time aſſigned him, and before the Presbytery, expound ſuch a place of Scripture as ſhall be given him.*

5. *He ſhall in a competent time alſo frame a Diſcourſe in* Latin, *upon ſuch a common Place or Controverſy in Divinity, as ſhall be aſſigned him; and exhibit to the Presbytery ſuch Theſes as expreſs the Sum thereof, and maintain a Diſpute upon them.*

6. *He ſhall preach before the People; the Presbytery, or ſome of the Miniſters of the Word, appointed by them, being preſent.*

7. *The proportion of his Gifts in relation to the Place unto which he is called, ſhall be conſidered.*

8. *Beſides the Trial of his Gifts in preaching, he ſhall undergo an Examination in the Premiſſes Two ſeveral Days, or more, if the Presbytery ſhall judge it neceſſary.*

Thirdly, After which, he being approved, is to be ſent to the Church or other place where he is to ſerve, (if it may be done with ſafety and conveniency), there to preach Three ſeveral days, and to converſe with the people, that they may have trial of his Gifts for their Edification, and may have time and leiſure to enquire into, and the better to know his Life and Converſation.

Fourthly, In the laſt of thoſe Three days appointed for the making known of his Gifts in preaching, there ſhall be ſent from the Presbytery to the Congregation, (if it may be done with ſafety and conveniency) a publick Inſtrument in writing, which ſhall publickly be read before the People, and after affixed to the Church-door, to ſignify ſuch a day any Member or Members of the ſaid Congregation, or any other perſon or perſons whatſoever, or any of them, may put in with all Chriſtian Diſcretion and Meekneſs, what Exceptions they have againſt him: And if upon the day appointed there be no juſt Exceptions againſt him, the Presbytery ſhall proceed to Ordination.

Fifthly, Upon the day appointed for Ordination (which is to be performed in that Church where he that is to be ordained is to ſerve, (if it may be done with ſafety and conveniency), a ſolemn Faſt ſhall be kept by the Congregation, that they may more earneſtly join in Prayer to God for a Bleſſing upon the Perſon and Labour of this his Servant, ſolemnly to be ſet apart to the Office of the Miniſtry for their good; the Presbytery ſhall come to the place, or ſome Miniſters of the Word, at the leaſt, ſhall be ſent from the Presbytery, whereof one ſhall preach to the people concerning the Office and Duty

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Duty of the Miniſters of Chriſt, and how the people ought to eſteem him for the Works ſake.

Sixthly, After the Sermon ended, the Miniſter which hath preached ſhall (in the face of the Congregation, demand of him who is now to be ordained, concerning his Faith in Chriſt Jeſus, and his perſuaſion of the truth of the Reformed Religion, according to the Scriptures; his ſincere intentions and ends in deſiring to enter into this Calling; his reſolution to be diligent in Prayer, Reading, Meditation, Preaching, miniſtring the Sacraments, and doing all Miniſterial Duties towards his Charge, his Zeal and Faithfulneſs in maintaining the Truth of the Goſpel, and Purity of the Church, againſt Error and Schiſm; his care that himſelf and Family may be unblameable, and Examples to the Flock; and his reſolution to continue in his Duty, againſt all trouble and perſecution.

Seventhly, in all which having declared himſelf, profeſſed his willingneſs, and promiſed his Endeavours by the help of God; the Presbytery, or the Miniſters ſent from them, ſhall ſolemnly ſet him apart to the Office and Work of the Miniſtry, laying their hands on him, with a ſhort Prayer or Bleſſing, to this effect:

*Thankfully acknowledging the great Mercy of God in ſending Jeſus Chriſt for the Redemption of his People, and for his Aſcenſion to the Right Hand of God the Father, and there pouring out his Spirit, and giving Gifts to Men, Apoſtles, Evangeliſts, Prophets, Paſtors, and Teachers, for the gathering and building up of his Church; and for fitting and inclining this Man to this great Work; to beſeech him to fill him with his Holy Spirit, who in his Name we * ſet apart to this holy Service, to fulfil the Work of his Miniſtry in all things, that he may both ſave himſelf, and the People committed to his Charge.*

* Here let them impoſe their Hands upon his Head.

Eighthly, This or the like Form of Prayer or Bleſſing being ended, let the Miniſter who preached, briefly exhort him to conſider the Greatneſs of his Office and Work, the Danger of Negligence both to himſelf and his People; the Bleſſing which will accompany his Faithfulneſs in this Life, and that to come; withal let him *Exhort* and *Charge* the People in the Name of God, willingly to receive and acknowledge him as the Miniſter of Chriſt, and to maintain, encourage, and aſſiſt him in all the parts of his Office. And ſo by Prayer commending both him and his Flock to the Grace of God, after the ſinging of a Pſalm, let the Aſſembly be diſmiſſed with a Bleſſing.

Ninthly, Let ſuch as are choſen or appointed for the Service of the Army, or Navy, or Colleges, or other Charge, be Ordained as aboveſaid, in ſuch Church as the Claſſical Presbytery to which they ſhall addreſs themſelves ſhall think fit; and ſuch Alterations made by the Miniſter that Ordaineth from the Exhortation laſt before preſcribed, as the Circumſtance of Place and Perſon ſhall require.

And be it further Ordained by the ſaid Lords and Commons, and by the Authority aforeſaid, That every Perſon formerly Ordained a Presbyter, according to the Form of Ordination, which hath been held in the Church of *England*, and is to be removed to another Charge, do bring the Presbytery where he is to be placed, a Teſtimonial of his Ordination, and of his Abilities and Converſation, whereupon his Fitneſs for that Place where he is to be removed, ſhall be tried by his Preaching there, and (if it ſhall be judged neceſſary) by a further Examination; and ſo, without any new *Ordination*, he ſhall be admitted, if he be appointed as fit for that place. And if any Perſon ordained Miniſter in *Scotland*, or in any other Reformed Church, be deſigned to a Congregation in *England*, he is to bring from that Church to the Presbytery where he is to be placed, a ſufficient Teſtimonial of his Ordination, of his Life and Converſation while he lived with them, and of the Cauſes of his Removal; and to undergo ſuch a Trial of his Fitneſs and Sufficiency, and to have the ſame Courſe held with him in other particulars, as is ſet down in the foregoing Rule and Proviſion touching the Examination and Admiſſion of Perſons formerly ordained in *England*.

And it is further ordained, That Records be carefully kept by the Regiſter, to be nominated by the Presbytery, of the Names of the Perſons ordained, with

with their Teſtimonial of the Time and Place of their Ordination, and of the Miniſters who did ordain them, and of the Charge to which they are appointed; and that no Money or Gift, of what kind ſoever, ſhall be received from the Perſon to be ordained, or from any on his behalf, for Ordination, or ought elſe belonging to it, by the Presbytery or any of them, or any appertaining to any of them, upon what pretence ſoever; except to the Regiſter, for the Entry, Inſtruments, and Teſtimonials of his Ordination, which ſhall not exceed the Sum of Ten Shillings for each Perſon ordained. 21 *Caroli.*

And it is yet further ordained by the Authority aforeſaid, That all Perſons who ſhall be ordained Presbyters according to this Directory, ſhall be for ever reputed and taken to all intents and purpoſes, for lawful and ſufficiently authorized Miniſters of the Church of *England*, and as capable of any Miniſterial Employment in the Church, with the Rights and Profits belonging thereunto, as any other Presbyters whatſoever, already ordained, or hereafter to be ordained: And that all Presbyters who are hereby appointed and authorized to ordain, and ſhall (according to this preſent Directory) ordain any Preſbyters, are hereby declared to perform an acceptable Service to this Church, and Kingdom, and ſhall have the Protection of both Houſes of Parliament for their Indemnity.

Provided, That this Ordinance ſhall ſtand in force for Twelve Months, and no longer: Any thing in this Ordinance contained to the contrary in any wiſe notwithſtanding.

Die Lunæ, Decemb. 1. 1645.

THE Houſe of Commons doth declare, That it ſhall be an acceptable Service for any perſon or perſons to inform this Houſe of any Member or Members of this Houſe, that by himſelf or others, directly or indirectly, hath taken or received any Money or other thing, of any perſon or perſons, for any matter or thing depending in this Houſe, or any Committe of this Houſe, ſince the beginning of this Parliament: And the Houſe hath appointed a Committee to receive any ſuch Informations, who are to ſit in the *Exchequer-Chamber* upon *Thurſday* next in the Afternoon, and ſo from time to time: And the Members of this Houſe are hereby enjoined, if any of them know of any ſuch thing ſo taken in manner as aforeſaid, by any other of the Members, that they do repair to the ſaid Committee, and inform them of the ſame.

An Order againſt ſuch Members as take Money for any thing depending in the Houſe of Commons, *Dec.* 1. 1645.

Charles R.

HIS Majeſty being deeply ſenſible of the Continuation of this Bloody and Unnatural War, cannot think himſelf diſcharged of the Duty he owes to God, or the Affection and Regard he has to the preſervation of his people, without the conſtant application of his earneſt Endeavours to find ſome Expedient for the ſpeedy ending of theſe unhappy Diſtractions, doth therefore deſire, That a ſafe Conduct may be forthwith ſent for the Duke of *Richmond*, the Earl of *Southampton*, *John Aſhburnham*, and *Jeffrey Palmer*, Eſqs; and their Attendants, with Coaches, Horſes, and other Accommodations for their Journey to *Weſtminſter*, during their Stay there, and Return when they ſhall think fit: Whom his Majeſty intends to ſend to the Lords and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, and the Commiſſioners of the Parliament of *Scotland*, furniſhed with ſuch Propoſitions as his Majeſty is confident will be the Foundation of a happy and well-grounded Peace. *Given at the Court at* Oxford *the* 5th *of* December, 1645.

For the Speaker of the Houſe of Peers pro Tempore.

His Majeſty's Meſſage to both Houſes, *Dec.* 5. 1645.

Charles R.

HIS Majeſty cannot but extremely wonder, that after ſo many Expreſſions on your part of a deep and ſeeming Senſe of the Miſeries of this afflicted Kingdom, and of the Dangers incident to his Perſon during the continuance of this unnatural War; your many great and ſo oft repeated Proteſtations, That the raiſing of theſe Arms hath been only for the neceſſary Defence of God's true Religion, His Majeſty's Honour, Safety, and Proſperity, the

His Majeſty's Meſſage, *Dec.* 15. in purſuance of the former.

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the Peace, Comfort, and Security of his People; you ſhould delay a ſafe Conduct to to the Perſons mentioned in his Majeſty's Meſſage of the *5th* of this inſtant *December*, which are to be ſent unto you with Propoſitions for a well grounded Peace: A thing ſo far from having been at any time denied by his Majeſty whenſoever you have deſired the ſame, that he believes it hath been ſeldom (if ever) refuſed amongſt the moſt avowed and profeſſed Enemies, much leſs by Subjects to their King. But his Majeſty is reſolved that no Diſcouragements whatſoever ſhall make him fail of his part of doing his utmoſt Endeavours to put an end to theſe Calamities, which if not in time prevented, muſt prove the Ruin of this unhappy Nation: And therefore doth once again deſire, That a ſafe Conduct may be forthwith ſent for thoſe Perſons expreſſed in his former Meſſage: And doth therefore conjure you, as you will anſwer to Almighty God in that day when he ſhall make Inquiſition for all the Blood that hath and may yet be ſpilt in this unnatural War, as you tender the Preſervation and Eſtabliſhment of the true Religion, by all the Bonds of Duty and Allegiance to your King, or Compaſſion to your bleeding and unhappy Country, and of Charity to your ſelves, That you diſpoſe your hearts to a true ſenſe, and employ all your faculties in a more ſerious Endeavour, together with his Majeſty, to ſet a ſpeedy End to theſe waſting Diviſions; and then he ſhall not doubt but that God will yet again give the Bleſſing of Peace to this diſtracted Kingdom. *Given at the Court at* Oxford, *the* 15th *of* December, 1645.

For the Speaker of the Houſe of Peers pro Tempore.

His Majeſty's Meſſage to both Houſes, with Propoſitions, *Dec.* 26. 1645.

For the Speaker of the Houſe of Peers pro Tempore: *To be communicated to the Two Houſes of Parliament at* Weſtminſter, *and the Commiſſioners of the Parliament of* Scotland.

Charles R.

NOtwithſtanding the ſtrange and unexpected Delays (which can be precedented by no former times) to his Majeſty's two former Meſſages, his Majeſty will lay aſide all Expoſtulations, as rather ſerving to loſe time, than to contribute any Remedy to the Evils which (for the preſent) do afflict this diſtracted Kingdom. Therefore, without further Preamble, his Majeſty thinks it moſt neceſſary to ſend theſe Propoſitions this way, which he intended to do by the Perſons mentioned in his former Meſſages; though he well knows the great diſadvantage which Overtures of this kind have, by the want of being accompanied by well-inſtructed Meſſengers.

His Majeſty conceiving that the former Treaties have hitherto proved ineffectual, chiefly for want of Power in thoſe Perſons that Treated, as likewiſe becauſe thoſe from whom their Power was derived (not poſſibly having the particular Informations of every ſeveral Debate) could not give ſo clear a Judgment as was requiſite to ſo important a Buſineſs: If therefore his Majeſty may have the Engagement of the Two Houſes at *Weſtminſter*, the Commiſſioners of the Parliament of *Scotland*, the Mayor, Aldermen, Common-Council and Militia of *London*; of the Chief Commanders in Sir *Tho. Fairfax*'s Army, as alſo of thoſe in the *Scots* Army, for his Majeſty's free and ſafe coming to and Abode in *London* or *Weſtminſter* (with ſuch of his Servants now attending him, and their Followers, not exceeding in all the Number of Three hundred) for the ſpace of Forty Days; and after the ſaid time, for his free and ſafe Repair to any of his Gariſons of *Oxford*, *Worceſter*, or *Newark* (which his Majeſty ſhall nominate at any time before his going from *London* or *Weſtminſter*), his Majeſty propounds to have a Perſonal Treaty with the Two Houſes of Parliament at *Weſtminſter*, and the Commiſſioners of the Parliament of *Scotland*, upon all matters which may conduce to the reſtoring of Peace and Happineſs to theſe miſerably diſtracted Kingdoms; and to begin with the Three Heads which were treated on at *Uxbridge*. And for the better clearing of his Majeſty's earneſt and ſincere Intentions of putting an end to theſe unnatural Diſtractions, (knowing that point of Security may prove the greateſt Obſtacle to this moſt bleſſed Work) his Majeſty therefore declares, That he is willing to commit the great Truſt of the Militia of this Kingdom, for ſuch Time and with ſuch Powers as are expreſs'd in the Paper delivered

delivered by his Majeſty's Commiſſioners at *Uxbridge*, the 6th of *February* laſt, to theſe Perſons following; *viz.* 21 *Caroli.*

The Lord Privy-Seal,	Earl of *Salisbury*,	Mr. *Hen. Bellaſis*,
The Duke of *Richmond*,	Earl of *Mancheſter*,	Mr. *Rich. Spencer*,
The Marq. of *Hartford*,	Earl of *Warwick*,	Sir *Tho. Fairfax*,
The Marq. of *Dorcheſter*,	Earl of *Denbigh*,	Mr. *John Aſhburnham*,
The Earl of *Dorſet*, Lord Chamberlain,	Earl of *Chicheſter*,	Sir *Gervaſe Clifton*,
	Lord *Say*,	Sir *Hen. Vane*, Jun.
The Earl of *Northumberland*,	Lord *Seymour*,	Mr. *Rob. Wallop*,
	Lord *Lucas*,	Mr. *Tho. Chicheley*,
The Earl of *Eſſex*,	Lord *Lexington*,	Mr. *Oliver Cromwell*, and
The Earl of *Southampton*,	Mr. *Denzil Hollis*,	Mr. *Philip Skippon*.
Earl of *Pembroke*,	Mr. *Pierpoint*,	

Suppoſing that theſe are Perſons againſt whom there can be no juſt Exception. But if this doth not ſatisfy, then his Majeſty offers to name the one half, and leave the other to the Election of the Two Houſes of Parliament at *Weſtminſter*, with the Powers and Limitations before-mentioned.

Thus his Majeſty calls God and the World to witneſs of his ſincere Intentions and real Endeavours for the compoſing and ſetling of theſe miſerable Diſtractions; which he doubts not but by the Bleſſing of God will ſoon be put to an happy Concluſion, if this his Majeſty's Offer be accepted. Otherwiſe he leaves all the World to judge who are the Continuers of this unnatural War. And therefore he once more conjures you by all the Bonds of Duty you owe to God and your King, to have ſo great a Compaſſion on the bleeding and miſerable Eſtate of your Country, that you join your moſt ſerious and hearty Endeavours with his Majeſty, to put an happy and ſpeedy end to theſe preſent Miſeries. *Given at the Court at* Oxford *the* 26th *of* December, 1645.

May it please your Majeſty,

The Anſwer of both Houſes to his Majeſty's two former Meſſages of the 5th and 15th of *Dec.*

THE Lords and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, have received your Letters of the 5th and 15th of this Inſtant *December*; and having, together with the Commiſſioners of the Parliament of *Scotland*, taken the ſame into their ſerious Conſideration, do humbly return this Anſwer:

They have in all their Actions manifeſted to your Majeſty and the World, their ſincere and earneſt deſires that a ſafe and well-grounded Peace might be ſetled in your Three Kingdoms; and for the obtaining ſo great a Bleſſing, ſhall ever pray to God, and uſe their utmoſt Endeavours: And beſeech your Majeſty to believe, that their not ſending a more ſpeedy Anſwer, hath not proceeded from any Intention to retard the Means of putting an end to theſe preſent Calamities by a happy Peace; but hath been occaſioned by the Conſiderations and Debates neceſſary in a Buſineſs of ſo great Importance, wherein both Kingdoms are ſo much concern'd.

As to your Majeſty's deſire of a ſafe Conduct for the coming hither of the Duke of *Richmond*, the Earl of *Southampton*, *John Aſhburnham*, and *Jeffrey Palmer*, Eſqs; with Propoſitions to be the Foundation of an happy and well-grounded Peace; they finding that former Treaties have been made uſe of for other Ends under the pretence of Peace, and have proved dilatory and unſucceſsful, cannot give way to a ſafe Conduct according to your Majeſty's deſire. But both Houſes of the Parliament of *England* having now under their Conſideration Propoſitions and Bills for the ſetling of a ſafe and well-grounded Peace, which are ſpeedily to be communicated to the Commiſſioners of the Kingdom of *Scotland*, do reſolve after mutual Agreement of both Kingdoms, to preſent them with all ſpeed to your Majeſty.

Weſtminſter, Dec. 25. 1645.

Grey *of* Wark, *Speaker of the Houſe of Peers, pro Tempore.*
William Lenthall, *Speaker of the Houſe of Commons.*

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For the Speaker of the Houſe of Peers pro Tempore. *To be communicated to the Two Houſes of Parliament at* Weſtminſter, *and the Commiſſioners of the Parliament of* Scotland.

His Majeſty's Reply by Sir *Pet. Killegrew*, *Dec.* 29.

Charles R.

ALtho the Meſſage ſent by Sir *Peter Killigrew*, may juſtly require an Expoſtulatory Anſwer, yet his Majeſty lays that aſide, as not ſo proper for his preſent Endeavours; leaving all the World to judge whether his Propoſition for a Perſonal Treaty, or the flat Denial of a ſafe Conduct for Perſons to begin a Treaty, be greater Signs of a real Intention to Peace; and ſhall now only inſiſt upon his former Meſſage of the 26*th* of this *December*, That upon his Repair to *Weſtminſter*, he doubts not but ſo to join his Endeavours with his Two Houſes of Parliament, as to give juſt Satisfaction, not only concerning the Buſineſs of *Ireland*, but alſo for the ſetling of a way for the Payment of the Publick Debts as well to the *Scots* and the City of *London*, as others. And as already he hath ſhewn a fair way for the ſetling of the Militia, ſo he ſhall carefully endeavour in all other particulars, that none ſhall have cauſe to complain for want of Security, whereby juſt Jealouſies may ariſe, to hinder the continuance of the deſired Peace. And certainly this Propoſition of a Perſonal Treaty could never have entred into his Majeſty's Thoughts, if he had not reſolv'd to make apparent to all the World, That the Publick Good and Peace of this Kingdom is far dearer to him than the reſpect of any particular Intereſt. Wherefore none can oppoſe this Motion, without a manifeſt demonſtration, That he particularly envies his Majeſty ſhould be the chief Author in ſo bleſſed a Work, beſides the declaring himſelf a direct Oppoſer of the happy Peace of theſe Nations. To conclude; whoſoever will not be aſhamed that his fair and ſpecious Proteſtations ſhould be brought to a true and publick Teſt, and thoſe who have a real Senſe, and do truly commiſerate the Miſeries of their bleeding Country, let them ſpeedily and chearfully embrace his Majeſty's Propoſition for his Perſonal Treaty at *Weſtminſter*; which by the Bleſſing of God will undoubtedly to theſe now-diſtracted Kingdoms reſtore the Happineſs of a long-wiſh'd for and laſting Peace. *Given at the Court at* Oxford *the* 29th *Day of* December, 1645.

His Majeſty's Meſſage, *Jan.* 15. 164⅝.

For the Speaker of the Houſe of Peers pro Tempore. *To be communicated to the Two Houſes of Parliament at* Weſtminſter, *and the Commiſſioners of the Parliament of* Scotland.

Charles R.

BUT that theſe are Times wherein nothing is ſtrange, it were a thing much to be marvell'd at, what ſhould cauſe this unparallel'd long detention of his Majeſty's Trumpet, ſent with his Gracious Meſſage of the 26*th* of *December* laſt; Peace being the only Subject of it, and his Majeſty's Perſonal Treaty the Means propoſed for it. And it were almoſt as great a wonder, that his Majeſty ſhould be ſo long from enquiring after it, if that the hourly Expectation thereof had not in ſome meaſure ſatisfied his Impatience. But leſt his Majeſty by his long ſilence ſhould condemn himſelf of Careleſneſs in that which ſo much concerns the Good of all his People, he thinks it high time to enquire after his ſaid Trumpeter. For ſince all men who pretend any Goodneſs muſt deſire Peace, and that all men know Treaties to be the beſt and moſt Chriſtian way to procure it; and there being as little queſtion that his Majeſty's Perſonal Preſence in it is the likelieſt way to bring it to an happy Iſſue, he judges there muſt be ſome ſtrange variety of Accidents, which cauſeth this moſt tedious delay. Wherefore his Majeſty earneſtly deſires to have a ſpeedy Account of his former Meſſage, the Subject whereof is Peace, and the Means his Perſonal Preſence at *Weſtminſter*; where the Government of the Church being ſetled as it was in the Times of the happy and glorious Reigns of Q. *Elizabeth* and K. *James*, and full Liberty for the Eaſe of their Conſciences who will not communicate in that Service eſtabliſh'd by Law, and likewiſe for the free and publick Uſe of the Directory (preſcribed, and by Command of the Two Houſes of Parliament now practiſed in ſome parts of the City of *London*) to ſuch as ſhall deſire to uſe the ſame; and all Forces being agreed to be disbanded, his Majeſty

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Majeſty will then forthwith (as he hath in his Meſſage of the 29*th* of *December* laſt already offered) join with his Two Houſes of Parliament in ſetling ſome way for the Payment of the Publick Debts to his *Scots* Subjects, the City of *London*, and others. And his Majeſty having propoſed a fair way for the ſetling of the *Militia*, which now by this long Delay ſeems not to be thought a ſufficient Security; his Majeſty (to ſhew how really he will employ himſelf at his coming to *Weſtminſter*, for making this a laſting Peace, and taking away all Jealouſies, how groundleſs ſoever) will endeavour upon Debate with his Two Houſes, ſo to diſpoſe of it (as likewiſe of the Buſineſs of *Ireland*, as may give them and both Kingdoms Satisfaction. Not doubting alſo but to give good Contentment to his Two Houſes of Parliament in the Choice of the Lord Admiral, the Officers of State, and others, if his Two Houſes by their ready Inclinations to Peace, ſhall give him Encouragement thereunto.

Thus his Majeſty having taken occaſion by his juſt Impatience ſo to explain his Intentions, that no man can doubt of an happy Iſſue to this ſucceeding Treaty; if now there ſhall be ſo much as a Delay of the ſame, he calls God and the World to witneſs who they are that not only hinder but reject this Kingdom's future happineſs: It being ſo much the ſtranger, that his Majeſty's coming to *Weſtminſter* (which was firſt the greateſt Pretence for taking up Arms) ſhould be ſo much as delayed, much leſs not accepted, or refuſed. But his Majeſty hopes that God will no longer ſuffer the Malice of wicked men to hinder the Peace of this too much afflicted Kingdom. *Given at the Court at* Oxford *the* 15*th of* January, 164⅞.

May it pleaſe your Majeſty,

The Anſwer of both Houſes *Jan.* 13. to his Majeſty's two former Meſſages of the 26*th* and 29*th* of *December*.

WE your humble and loyal Subjects of both Kingdoms, have received your Letters of the 26*th* and 29*th* of *December* laſt; unto which we humbly return this Anſwer, That there hath been no delay on our parts, but what was neceſſary in a buſineſs of ſo great a Conſequence as is expreſſed in our former Letter to your Majeſty. Concerning the Perſonal Treaty deſired by your Majeſty, there having been ſo much innocent Blood of your good Subjects ſhed in this War by your Majeſty's Commands and Commiſſions; *Iriſh* Rebels brought over into both Kingdoms, and Endeavours to bring over more into both of them, as alſo Forces from Foreign Parts; your Majeſty being in Arms in theſe Parts, and the Prince in the Head of an Army in the *Weſt*; divers Towns made Gariſons, and kept in Hoſtility againſt the Parliament of *England*; there being alſo Forces in *Scotland* againſt that Parliament and Kingdom, by your Majeſty's Commiſſion; the War in *Ireland* fomented and prolonged by your Majeſty; whereby the Three Kingdoms are brought near to utter Ruin and Deſtruction: We conceive that until Satisfaction and Security be firſt given to both your Kingdoms, your Majeſty's coming hither cannot be convenient, nor by us aſſented unto: Neither can we apprehend it a means conducing to Peace, that your Majeſty ſhould come to your Parliament for a few days, with any thoughts of leaving it, eſpecially with intentions of returning to Hoſtility againſt it. And we do obſerve, That your Majeſty deſires the Engagement not only of your Parliaments, but of the Lord-Mayor, Aldermen, Common-Council, and Militia of the City of *London*, the Chief Commanders of Sir *Tho. Fairfax*'s Army, and thoſe of the *Scots* Army; which is againſt the Privileges and Honour of the Parliaments, thoſe being joined with them, who are ſubject and ſubordinate to their Authority. As to that which your Majeſty (againſt the Freedom of the Parliaments) inforces in both your Letters with many earneſt Expreſſions, as if in no other way than that propounded by your Majeſty, the Peace of the Kingdoms could be eſtabliſhed, your Majeſty may pleaſe to remember, That in our laſt Letter we did declare that Propoſitions from both Kingdoms were ſpeedily to be ſent to your Majeſty; which we conceive to be the only way for the obtaining an happy and well grounded Peace; and your Majeſty's Aſſent unto thoſe Propoſitions will be an effectual means for giving Satisfaction and Security to your Kingdoms, will aſſure a firm Union between the Two Kingdoms (as much deſired by each for other, as for themſelves), and ſettle Religion, and ſecure the Peace of the Kingdom of *Scotland*, whereof neither is ſo much as mentioned in your Majeſty's Letter. And in proceeding according

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to theſe juſt and neceſſary grounds for the putting an end to the bleeding Calamities of theſe Nations, your Majeſty may have the Glory to be a principal Inſtrument in ſo happy a Work, and we (however miſinterpreted) ſhall approve our ſelves to God and the World to be real and ſincere in ſeeking a ſafe and well-grounded Peace.

Weſtminſter, 13. *Jan.* 1645.

Gray *of* Wark, *Speaker of the Houſe of Peers* pro Tempore.
William Lenthal, *Speaker of the Houſe of Commons.*

Sign'd in the Name and by the Warrant of the Commiſſioners of the Parliament of Scotland,
Balmerino.

His Majeſty's Reply to the Anſwer of both Houſes, *Jan.* 17. 164⅝.

To the Speaker of the Houſe of Peers, &c. [Ut ſupra.]

Charles R.

HIS Majeſty thinks not fit now to anſwer thoſe Aſperſions which are return'd as Arguments for his Non-Admittance to *Weſtminſter* for a Perſonal Treaty, becauſe it would enforce a Stile not ſuitable to his End, it being the Peace of theſe miſerable Kingdoms: Yet this much he cannot but ſay to thoſe who have ſent him this Anſwer, That if they had conſidered what they had done themſelves in occaſioning the ſhedding of ſo much innocent Blood, by withdrawing themſelves from their Duty to him in a time when he had granted ſo much to his Subjects, and in violating the known Laws of the Kingdom, to draw an exorbitant Power to themſelves over their Fellow-Subjects, (to ſay no more, To do as they have done); they could not have given ſuch a falſe Character of his Majeſty's Actions. Wherefore his Majeſty muſt now remember them, That having ſome Hours before his receiving of their laſt Paper of the 13*th* of *January*, ſent another Meſſage to them of the 15*th*, wherein by divers Particulars he enlarges himſelf, to ſhew the Reality of his Endeavours for Peace, by his deſired Perſonal Treaty (which he ſtill conceives to be the likelieſt way to attain to that bleſſed End) he thinks fit by this Meſſage to call for an Anſwer to that, and indeed to all the former: For certainly no rational man can think their laſt Paper can be any Anſwer to his former Demands; the Scope of it being, That becauſe there is a War, therefore there ſhould be no Treaty for Peace. And is it poſſible to expect that the Propoſitions mentioned ſhould be the grounds of a laſting Peace, when the Perſons that ſend them will not endure to hear their own King ſpeak? But whatever the Succeſs hath been of his Majeſty's former Meſſages, or how ſmall ſoever his Hopes are of a better, conſidering the high ſtrain of thoſe that deal with his Majeſty, yet he will neither want Fatherly Bowels to his Subjects in general, nor will he forget that God hath appointed him for their King with whom he Treats: Wherefore he now demands a ſpeedy Anſwer to his laſt and former Meſſages. *Given at our Court at* Oxon *this* 17th *of* January, 1645.

His Majeſty's further Reply, *Jan.* 24.

To the Speaker of the Houſe of Peers, &c.

Charles R.

THE procuring Peace to theſe Kingdoms by Treaty is ſo much deſired by his Majeſty, that no unjuſt Aſperſions whatſoever, or any other Diſcouragements, ſhall make him deſiſt from doing his Endeavour therein, until he ſhall ſee it altogether impoſſible; and therefore hath thought fitting ſo far only to make Reply to that Paper or Anſwer which he hath received of the 13*th* of this Inſtant *January*, as may take away thoſe Objections which are made againſt his Majeſty's coming to *Weſtminſter*; expecting ſtill an Anſwer to his Meſſages of the 15*th* and 17*th*, which he hopes by this time have begotten better Thoughts and Reſolutions in the Members of both Houſes.

And firſt therefore, Whereas in the ſaid laſt Paper it is objected as an Impediment to his Majeſty's Perſonal Treaty, That much innocent Blood hath been ſhed in this War by his Majeſty's Commiſſions, *&c.* he will not now diſpute (it being apparent to all the World, by whom this Blood hath been ſpilt), but rather preſſeth that there ſhould be no more: And to that end only he hath deſired this Perſonal Treaty, as judging it the moſt immediate means to aboliſh ſo many horrid Confuſions in all his Kingdoms. And it is no Argument, to ſay that there ſhall be no ſuch Perſonal Treaty, becauſe there have been

21 *Caroli.*

been Wars; it being a ſtrong Inducement to have ſuch a Treaty, to put an end to the War.

2*dly*. That there ſhould be no ſuch Perſonal Treaty, becauſe ſome of his *Iriſh* Subjects have repaired to his Aſſiſtance, ſeems an Argument altogether as ſtrange as the other; as always urging, That there ſhould be no Phyſick, becauſe the Party is ſick. And in this particular it hath been often often obſerved unto them, That thoſe whom they call *Iriſh*, who have ſo expreſſed their Loyalty to their Sovereign, were indeed (for the moſt part) ſuch *Engliſh* Proteſtants as had been formerly ſent into *Ireland* by the Two Houſes, impoſſibilitated to ſtay there any longer, by the neglect of thoſe that ſent them thither, who ſhould there have better provided for them. And for any Foreign Forces, it is too apparent that *Their* Armies have ſwarmed with them, when his Majeſty hath had few or none.

And whereas for a Third Impediment it is alledged that the Prince is in the Head of an Army in the *Weſt*, and that there are divers Gariſons ſtill kept in his Majeſty's Obedience, and that there are Forces in *Scotland*; it muſt be as much confeſs'd, as that there is yet no Peace: And therefore it is deſired that by ſuch a Perſonal Treaty all theſe Impediments may be removed. And it is not here amiſs to put them in mind, how long ſince his Majeſty did preſs a diſbanding of all Forces on both Sides: The refuſing whereof hath been the Cauſe of this Objection.

And whereas Exception is taken, that there is a Time limited in the Propoſition for his Majeſty's Perſonal Treaty, thereupon inferring that he ſhould again return to Hoſtility, his Majeſty proteſteth that he ſeeks this Treaty to avoid future Hoſtility, and to procure a laſting Peace: And if he can meet with like Inclinations to Peace in thoſe he deſires to Treat with, he will bring ſuch Affections and Reſolutions in himſelf, as ſhall end all theſe unhappy bloody Differences.

As for thoſe Engagements which his Majeſty hath deſired for his Security; whoſoever ſhall call to mind the particular occaſions that enforced his Majeſty to leave the City of *London* and *Weſtminſter*, will judge his Demand very reaſonable and neceſſary for his Safety. But he no way conceiveth how the Lord-Mayor, Aldermen, Common-Council, and Militia of *London*, were either ſubject or ſubordinate to that Authority which is alledged, as knowing neither Law nor Practice for it: And if the Two Armies be, he believes it is more than can be parallel'd by any former Times in this Kingdom. Nor can his Majeſty underſtand how his Majeſty's ſeeking of a Perſonal Security can be any Breach of Privilege, it being likely to be infringed by hindring his Majeſty from coming freely to his Two Houſes.

As for the Objection, That his Majeſty omitted to mention the ſetling Religion, and ſecuring the Peace of his Native Kingdom, his Majeſty declares, That he conceives it was included in his former, and hath been particularly mentioned in his latter Meſſage of the 15*th* preſent. But for their better ſatisfaction, he again expreſſeth, that it was and ever ſhall be both his Meaning and Endeavour in this Treaty deſired. And it ſeems to him very clear, That there is no way for a final ending of ſuch Diſtractions as afflict this Kingdom, but either by Treaty or Conqueſt: The latter of which his Majeſty hopes none will have the Impudence or Impiety to wiſh for: And for the former, if his Perſonal Aſſiſtance in it be not the moſt likely way, let any reaſonable man judge, when by that means not only all unneceſſary Delays ſhall be removed, but even the greateſt Difficulties made eaſy. And therefore he doth now again earneſtly inſiſt upon that Propoſition, expecting to have a better Anſwer upon mature Conſideration. And can it be imagined that any Propoſitions will be ſo effectual, being formed before a Perſonal Treaty, as ſuch as are framed and propounded upon a full Debate on both ſides? Wherefore his Majeſty, who is moſt concerned in the good of his People, and is moſt deſirous to reſtore Peace and Happineſs to his Three Kingdoms, doth again inſtantly deſire an Anſwer to his ſaid former Meſſages, to which he hath hitherto received none. *Given at our Court at* Oxon *the* 24th *of* January, 1645.

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His Majeſty's Meſſage, *Jan.* 29.

To the Speaker of the Houſe of Peers, &c.

Charles R.

HIS Majeſty having received Information from the Lord Lieutenant and Council in *Ireland*, That the Earl of *Glamorgan* hath without his or their Directions or Privity, entred into a Treaty with ſome Commiſſioners on the *Roman-Catholick* Party there, and alſo drawn up and agreed unto certain Articles with the ſaid Commiſſioners, highly derogatory to his Majeſty's Honour and Royal Dignity, and moſt prejudicial unto the Proteſtant Religion and Church there in *Ireland*: Whereupon the ſaid Earl of *Glamorgan* is arreſted upon ſuſpicion of High Treaſon, and impriſoned by the ſaid Lord Lieutenant and Council, at the Inſtance and by the Impeachment of the Lord *Digby*, who (by reaſon of his Place and former Employment in theſe Affairs) doth beſt know how contrary that proceeding of the ſaid Earl hath been to his Majeſty's Intentions and Directions; and what great prejudice it might bring to his Affairs, if thoſe Proceedings of the Earl of *Glamorgan* ſhould be any ways underſtood to have been done by the Directions, Liking, or Approbation of his Majeſty.

His Majeſty having in his former Meſſages for a Perſonal Treaty offered to give Contentment to his Two Houſes in the buſineſs of *Ireland*, hath now thought fitting, the better to ſhew his clear Intentions, and to give Satisfaction to his ſaid Houſes of Parliament, and the reſt of his Subjects in all his Kingdoms, to ſend this Declaration to his ſaid Houſes, containing the whole Truth of the Buſineſs; which is, That the Earl of *Glamorgan* having made Offer unto him to raiſe Forces in the Kingdom of *Ireland*, and to conduct them into *England* for his Majeſty's Service, had a Commiſſion to that purpoſe, and to that purpoſe only. That he had no Commiſſion at all to Treat of any thing elſe, without the Privity and Directions of the Lord Lieutenant, much leſs to capitulate any thing concerning Religion, or any Propriety belonging either to Church or Laity. That it clearly appears by the Lord Lieutenant's Proceedings with the ſaid Earl, that he had no notice at all of what the ſaid Earl had treated and pretended to have capitulated with the *Iriſh*, until by Accident it came to his knowledge. And his Majeſty doth proteſt, That until ſuch time as he had Advertiſement that the Perſon of the ſaid Earl of *Glamorgan* was arreſted and reſtrained as is aboveſaid, he never heard or had any kind of notice that the ſaid Earl had entred into any kind of Treaty or Capitulation with thoſe *Iriſh* Commiſſioners, much leſs that he had concluded or ſigned thoſe Articles, ſo deſtructive both to Church and State, and ſo repugnant to his Majeſty's publick Profeſſions, and known Reſolutions. And for the further Vindication of his Majeſty's Honour and Integrity herein, he doth declare, That he is ſo far from conſidering any thing contained in thoſe Papers or Writings, framed by the ſaid Earl and thoſe Commiſſioners with whom he treated, as he doth abſolutely diſavow him therein, and hath given Commandment to the Lord Lieutenant and the Council there, to proceed againſt the ſaid Earl as one who either out of Falſeneſs, Preſumption, or Folly, hath ſo hazarded the blemiſhing of his Majeſty's Reputation with his good Subjects, and ſo impertinently framed thoſe Articles of his own head, without the Conſent, Privity, or Directions of his Majeſty, or the Lord Lieutenant, or any of his Majeſty's Council there. But true it is, That for the neceſſary Preſervation of his Majeſty's Proteſtant Subjects in *Ireland*, whoſe caſe was daily repreſented unto him to be ſo deſperate, he had given Commiſſion to the Lord Lieutenant to treat and conclude ſuch a Peace there, as might be for the Safety of that Crown, the Preſervation of the Proteſtant Religion, and no way derogatory to his own Honour and Publick Profeſſions. But to the end his Majeſty's real Intentions in this Buſineſs of *Ireland* may be the more clearly underſtood, and to give more ample Satisfaction to both Houſes of Parliament, and the Commiſſioners of the Parliament of *Scotland*, eſpecially concerning his Majeſty's not being engaged in any Peace or Agreement there, he doth deſire, if the Two Houſes ſhall admit of his Majeſty's Repair to *London* for a Perſonal Treaty (as was formerly propoſed), That ſpeedy Notice be given thereof to his Majeſty, and a Paſs or ſafe Conduct with a Blank ſent, for a Meſſenger to be immediately diſpatch'd into *Ireland*, to prevent any Accident that may happen to hinder his Majeſty's Reſolution of leaving the managing the Buſineſs of

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Ireland wholly to the Two Houſes, and to make no Peace there but with their Conſent; which in caſe it ſhall pleaſe God to bleſs his Endeavours in the Treaty with Succeſs, his Majeſty doth hereby engage himſelf to do. And for a further Explanation of his Majeſty's Intentions in his former Meſſages, he doth now declare, That if his Perſonal Repair to *London*, as aforeſaid, ſhall be admitted, and a Peace thereon ſhall enſue, he will then leave the Nomination of the Perſons to be intruſted with the Militia, wholly to his Two Houſes, with ſuch Power and Limitations as are expreſſed in the Paper delivered by his Majeſty's Commiſſioners at *Uxbridge*, the *6th* of *February*, 1644. for the Term of Seven Years, as hath been deſired, to begin immediately after the Concluſion of the Peace, the diſbanding of all the Forces on both ſides, and the diſmantling of the Gariſons erected ſince theſe preſent Troubles; ſo as at the Expiration of the Time before-mentioned, the Power of the Militia ſhall entirely revert and remain as before. 21 *Caroli.*

And for their further Security, his Majeſty (the Peace ſucceeding) will be content, that *pro hac vice*, the Two Houſes ſhall nominate the Admiral, Officers of State, and Judges, to hold their Places during Life, or *Quam diu ſe benè geſſerint*, which ſhall be beſt liked, to be accountable to none but the King and the Two Houſes of Parliament. As for matter of Religion, his Majeſty doth further declare, That by the Liberty offered in his Meſſage of the *15th* preſent, for the eaſe of their Conſciences who will not communicate in the Service already eſtabliſh'd by Act of Parliament in this Kingdom, he intends that all other Proteſtants behaving themſelves peaceably in and towards the Civil Government, ſhall have the free Exerciſe of their Religion according to their own way. And for the total removing of all Fears and Jealouſies, his Majeſty is willing to agree, That upon the Concluſion of Peace there ſhall be a general Act of Oblivion and Free Pardon paſs'd by Acts of Parliament in both his Kingdoms reſpectively.

And leſt it ſhould be imagined, that in making of theſe Propoſitions, his Majeſty's Kingdom of *Scotland*, and his Subjects there, have been forgotten or neglected, his Majeſty declares, That what is here mentioned touching the Militia, and the naming of Officers of State, and Judges, ſhall likewiſe extend to his Kingdom of *Scotland*. And now his Majeſty having ſo fully and clearly expreſſed his Intentions and Deſires of making a happy and well-grounded Peace; if any Perſon ſhall decline that Happineſs by oppoſing ſo apparent a way of attaining it, he will ſufficiently demonſtrate to all the World, his Intention and Deſign can be no other than the total Subverſion and Change of the Ancient and Happy Government of this Kingdom, under which the *Engliſh* Nation hath ſo long flouriſhed. *Given at the Court at* Oxford *the* 29th *of* January, 1645.

For the Speaker of the Houſe of Peers pro Tempore, *&c.*

His Majeſty's Meſſage, *Feb.* 26. 164⅝.

Charles R.

HIS Majeſty needs to make no Excuſe, tho he ſent no more Meſſages unto you; for he very well knows he ought not to do it, if he either ſtood upon Punctilio's of Honour, or his own private Intereſt; the one being already call'd in queſtion by his often ſending, and the other aſſuredly prejudg'd, if a Peace be concluded from that he hath already offered, he having thereby departed with many of his undoubted Rights. But nothing being equally dear to him to the Preſervation of his People, his Majeſty paſſeth by many Scruples, Neglects, and Delays, and once more deſires you to give him a ſpeedy Anſwer to his laſt Meſſage: For his Majeſty believes it doth very well become him (after this very long delay) at laſt to utter his Impatience, ſince that the Goods and Blood of his Subjects cries ſo much for Peace. *Given at the Court at* Oxford *the* 26th *of* February, 1645.

To the Speaker of the Houſe of Peers, &c.

The King's Meſſage, *March* 23. 164⅝.

Charles R.

NOtwithſtanding the unexpected Silence, inſtead of Anſwer to his Majeſty's many and Gracious Meſſages to both Houſes, whereby it may appear that they deſire to attain their own Ends by Force rather than Treaty; which may juſtly diſcourage his Majeſty from any more Overtures of that kind;

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kind; yet his Majeſty conceives he ſhall be much wanting in his Duty to God, and in what he oweth to the Safety of his People, if he ſhould not intend to prevent the great Inconveniences that may otherwiſe hinder a ſafe and well-grounded Peace. His Majeſty therefore now propoſeth, That ſo he may have the Faith of both Houſes of Parliament for the Preſervation of his Honour, Perſon, and Eſtate; and that Liberty be given to all thoſe who do and have adhered to his Majeſty, to go to their own Houſes, and there to live peaceably, enjoying their Eſtates, all Sequeſtrations being taken off, without being compell'd to take any Oath not enjoined by the undoubted Laws of the Kingdom or being put to any other Moleſtation whatſoever; he will immediately diſband all his Forces, and diſmantle all his Gariſons; and being accompanied with his Royal, not his Martial Attendance, return to his Two Houſes of Parliament, and there reſide with them. And for the better Security of all his Majeſty's Subjects, he propoſeth, That he with his ſaid Two Houſes, immediately upon his coming to *Weſtminſter*, will paſs an Act of Oblivion and Free Pardon; and where his Majeſty will further do whatſoever they will adviſe him, for the Good and Peace of this Kingdom. And as for the Kingdom of *Scotland*, his Majeſty hath made no mention of it here, in regard of the great loſs of Time which muſt now be ſpent in expecting an Anſwer from thence; but declares, That immediately upon his coming to *Weſtminſter*, he will apply himſelf to give them all Satisfaction touching that Kingdom If his Majeſty could poſſibly doubt the Succeſs of this Offer, he could uſe many Arguments to perſuade them to it; but ſhall only inſiſt upon that Great One, of giving an inſtant Peace to theſe afflicted Kingdoms. *Given at our Court at* Oxford, *the* 23d *of* March, 1645.

Die Veneris, 20. Feb. 1645.

Reſolved by the Lords and Commons in Parliament aſſembled,

THat there be forthwith a Choice made of Elders throughout the Kingdom of *England*, and Dominion of *Wales* in the reſpective Pariſh Churches and Chappels, according to ſuch Directions as have already paſſed both Houſes, bearing date the 19*th* of *Auguſt*, 1645. and ſince that time. And all Claſſes, and Parochial Congregations reſpectively, are hereby authorized and required forthwith effectually to proceed therein accordingly.

Reſolved, &c. That notice of the Election of Parochial and Congregational Elders, and of the time when it ſhall be, be given by the Miniſter in the Publick Aſſembly the next Lord's Day but one before: And that on that ſaid Lord's Day a Sermon be preached preparatory to that weighty Buſineſs.

Reſolved, &c. That ſuch Election ſhall be made by the Congregation, or the Major part of them then aſſembled, being ſuch as have taken the National Covenant, and are not Perſons under Age, nor Servants that have no Families.

Reſolved, &c. That theſe Three Votes be forthwith communicated to the Lord-Mayor, and immediately put in due execution.

Jo. Browne, Cleric. Parliamentorum.

Die Sabbathi, 14. Martii, 1645.

An Ordinance of the Lords and Commons aſſembled in Parliament.

THE Lords and Commons aſſembled in Parliament, being very ſenſible of the great Duty which lieth upon them to ſettle Matters concerning *Religion*, and the *Worſhip* of Almighty God; and having continually before their Eyes the *Covenant* which they have ſo ſolemnly taken for the performance thereof, and the manifold motives and encouragements thereunto, which are given them from God himſelf, by a ſpecial Hand of Providence, pouring forth daily Mercies upon them: In diſcharge of their Duty, and in purſuance of the ſaid *Covenant*, and in Thankfulneſs to God for all his Mercies, having diligently applied themſelves to that Work of his Houſe by his Grace and Aſſiſtance, they have made ſome progreſs therein, notwithſtanding the Exigency of other Affairs, accompanied oftentimes with great and imminent dangers; and notwithſtanding the great difficulty of the Work it ſelf in divers reſpects, and particularly in the right jointing of what was to be ſerled with the Laws and Government of the Kingdom, the want whereof hath

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caused much trouble in this and other States; yet by the merciful aſſiſtance of God, having removed the Book of *Common-Prayer*, with all its unneceſſary and burdenſome Ceremonies, and eſtabliſhed the *Directory* in the room thereof, and having aboliſhed the Prelatical Hierarchy by Archbiſhops, Biſhops, and their Dependants, and inſtead thereof laid the Foundation of a *Presbyterial Government* in every Congregation, with Subordination to Claſſical, Provincial, and National Aſſemblies, and of them all to the Parliament; Although it cannot be expected that a preſent Rule in every particular ſhould be ſetled all at once, but that there will be need of Supplements and Additions, and haply alſo of Alterations in ſome things, as Experience ſhall bring to light the neceſſity thereof; yet were the Fundamentals and Subſtantial Parts of that Government long ſince ſetled in Perſons, by and over whom it was to be exerciſed, and the nature, extent, and reſpective Subordination of their Power was limited, and defined; only concerning the Adminiſtration of the Sacrament of the Lords Supper, how all ſuch perſons as were guilty of notorious and ſcandalous Offences, might be ſuſpended from it, ſome difficulty ariſing, not ſo much in the Matter it ſelf, as in the Manner how it ſhould be done, and who ſhould be the Judges of the Offence: The Lords and Commons having it always in their purpoſe and intention, and it being accordingly declared and reſolved by them, That all ſorts of notorious ſcandalous Offenders ſhould be ſuſpended from the Sacrament; For the preventing of an indefinite and unlimited Power in the Elderſhips, they held it fit for the preſent, That the particular Caſes of ſuch ſcandalous Offences ſhould be ſpecified and enumerated, with expreſs Declaration, That further proviſion ſhould be made by Authority of Parliament, for ſuch Caſes as were left out of the ſaid Enumeration; which accordingly having ſince taken into their ſerious Conſideration, and having had ſeveral debates thereupon, as the difficulty of the Matter required, which hath taken up much time, for the avoiding, as far as poſſible may be, all Arbitrary Power; and that all ſuch Caſes wherein Perſons ſhould be ſuſpended from the Sacrament of the Lord's Supper, might be brought to the Cognizance, and paſs the Judgment of the Parliament, who were bound in Juſtice as well to take care that none be injuriouſly detained from that Ordinance, as to give Power whereby ſuch may be kept away who are unfit to partake therein: And to the intent alſo that a full and ſpeedy courſe may be ſetled to enable the ſeveral Elderſhips to ſuſpend all ſuch Offenders from the Lord's Supper, without having recourſe to the Parliament it ſelf from all parts of the Kingdom upon every ſuch emergent Caſe, which might prove troubleſome and tedious, and give liberty to ſuch notorious and ſcandalous Offenders to communicate a long ſpace in the ſaid Ordinance: And to the intent likewiſe, that all ſuch Caſes coming firſt from the particular Elderſhips, may after they have paſſed the Judgment of Parliament, return again to all the ſeveral Elderſhips within the Kingdom, to proceed upon them from time to time in like manner as in the Caſes enumerated. For the Ends and Purpoſes aforeſaid, and alſo for Supply of ſome Defects in the former Ordinance and Directions of Parliament, concerning the Choice of *Elders*, and ſome other Matters:

21 *Caroli.*

I. *Be it Ordained*, That there be forthwith a Choice made of *Elders* throughout the Kingdom of *England*, and Dominion of *Wales*, in the reſpective Pariſh-Churches and Chappels, according to ſuch Directions as have already paſſed both Houſes, bearing date *Auguſt* the Nineteenth, One thouſand ſix hundred forty and five, and ſince that time: And all Claſſes and Parochial Congregations are reſpectively hereby Authorized and required forthwith effectually to proceed therein accordingly.

II. That notice of the Election of Parochial and Congregational *Elders*, and of the Time when it ſhall be, be given by the Miniſter in the publick Aſſembly, the next Lord's Day but one before; and that on the ſaid Lord's Day a Sermon be preached preparatory to that weighty Buſineſs.

III. That ſuch Elections ſhall be made by the Congregation, or the Major part of them then aſſembled, being ſuch as have taken the *National Covenant*, and are not Perſons under Age, nor Servants that have no Families.

IV. That the Triers of Elections of *Elders*, ſhall have power to receive, hear, and determine all Exceptions brought in to them concerning undue Elections; and to that end to call before them all ſuch perſons ſo elected, and accepting

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ſuch Election, and to ſend for ſuch Witneſſes as ſhall be nominated unto them by ſuch perſons as ſhall bring in ſuch Exceptions, and ſhall have power to examine upon Oath, both the perſons bringing in ſuch Exceptions, and the ſaid Witneſſes, concerning any undue proceedings in the manner of the ſaid Election, and concerning all matters of Ignorance or Scandal objected againſt the Party elected, and expreſſed in any Ordinance of Parliament to be a ſufficient cauſe of Suſpenſion from the Sacrament of the Lord's Supper (and of which any *Elderſhip* by any Ordinance of Parliament hath Cognizance and Juriſdiction) and that ſhall be proved to have been been committed within one whole Year before the Exceptions exhibited; and that the perſons againſt whom the Exceptions are taken, ſhall have like liberty to produce Witneſſes to be examined in like manner on their behalf.

V. That the Triers ſhall have Power to examine whether the *Elders* that are to be choſen, be ſo qualified as is expreſſed in the Ordinance or Directions which hath paſſed both Houſes.

VI. That in caſe the Election of any *Elder* of a Congregation, upon juſt proof and examination be found by the Triers appointed for that purpoſe, to be unduly made; the ſaid Triers may order ſuch *Elder* to be removed, and another to be choſen in his place.

VII. That the Chappels or places in the Houſes of the King and his Children, ſhall continue free for the exerciſe of Divine Duties, to be performed according to the *Directory*, and not otherwiſe.

VIII. That the Chappels or places in the Houſes of the Peers of this Realm, ſhall have the like freedom.

IX. That the *Savoy* Pariſh ſhall be reckoned within the Eleventh Claſſis of *London*.

X. That the Chappel of the *Rolls*, the Two *Serjeants Inns*, and the Four *Inns of Court*, ſhall be a Province of themſelves.

That the *Preſbytery* of the Chappel of the *Rolls*, the Two *Serjeants Inns*, and the Four *Inns of Court*, ſhall be divided into Two Claſſes.

That *Lincolns-Inn*, *Grays-Inn*, *Serjeants-Inn* in *Chancery-Lane*, and the *Rolls*, ſhall be one Claſſis: That the Two *Temples*, and *Serjeants-Inn* in *Fleetſtreet*, ſhall be the other Claſſis.

XI. That the Claſſical Aſſemblies in each Province ſhall aſſemble themſelves within one Month after they ſhall be conſtituted and this Ordinance publiſhed, and ſhall thenceforth hold their Meetings Monthly by Adjournment, or oftner if need be, in ſuch a certain place as ſhall be moſt convenient for the eaſe of the people.

XII. That out of every Congregational Elderſhip there ſhall be two *Elders* or more, not exceeding the number of four, and one Miniſter ſent to every Claſſis.

XIII. That all perſons guilty of notorious ſcandalous Offences, and more particularly all Renouncers of the true Proteſtant Religion, profeſſed in the Church of *England*; and all perſons that ſhall by preaching or writing maintain any ſuch Errors as do ſubvert any of thoſe Articles, the ignorance whereof do render any perſon excluded from the Sacrament of the Lord's Supper; and all perſons that ſhall make any Images or Pictures of the Trinity, or of any Perſon thereof; and all perſons in whom malice appears, and they refuſe to be reconciled, and the ſame appearing upon juſt proof, all ſuch perſons may be ſuſpended from the Sacrament of the Lord's Supper.

XIV. That in every Province perſons ſhall be choſen by the Houſes of Parliament, that ſhall be Commiſſioners to judge of ſcandalous Offences (not enumerated in any Ordinance of Parliament) to them preſented: And that the Elderſhip of that Congregation where the ſaid Offence was committed, ſhall upon examination and proof of ſuch ſcandalous Offence (in like manner as is to be done in the Offences enumerated) certify the ſame to the Commiſſioners, together with the proof taken before them; and before the ſaid Certificate, the Party accuſed ſhall have liberty to make ſuch defence as he ſhall think fit before the ſaid Elderſhip, and alſo before the Commiſſioners, before any Certificate ſhall be made to the Parliament. And if the ſaid Commiſſioners after examination of all parties, ſhall determine the Offence ſo preſented and proved, to be ſcandalous, and the ſame ſhall certify to the Congregation,

gregation, the Elderſhip thereof may ſuſpend ſuch perſon from the Sacrament of the Lord's Supper, in like manner as in Caſes enumerated in any Ordinance of Parliament.

XV. That ſuch perſons as ſhall be choſen for Commiſſioners to judge of notorious and ſcandalous Offences as aforeſaid, ſhall be men of good underſtanding in matters of Religion, ſound in the Faith, prudent, diſcreet, grave, and of unblameable Converſation, and ſuch as do uſually receive the Sacrament of the Lord's Supper, as Members of a Presbyterial Congregation.

XVI. That if any perſon ſhall commit any ſcandalous Offence (not enumerated in any Ordinance of Parliament) upon the day of the Adminiſtration of the Sacrament of the Lord's Supper, in the face of the Congregation after it is aſſembled, the Miniſter of that Congregation may forbear to adminiſter the Sacrament to ſuch a perſon for that time; and he ſhall within eight days after certify the ſaid Offence and Forbearance unto the Commiſſioners aforeſaid; and upon Certificate ſo made, the ſaid Commiſſioners ſhall proceed thereupon as in other Caſes not enumerated, and ſhall make Certificate of the Caſe or Caſes, with their Opinions, to both Houſes of Parliament with all ſpeed: And thereupon the Parliament ſhall proceed to a final determination of the Caſe, and ſend the ſame determination thereof to the Pariſh where ſuch Offence ſhall have been committed: And as often as the like Caſe ſhall fall out in any Congregation, the Elderſhip thereof having notice of ſuch Determination, ſhall proceed thereupon as in caſe of Offences enumerated in any Ordinance of Parliament.

XVII. That the ſaid Commiſſioners, upon notice given to them, or any two of them, of any caſe of Scandal befallen (whereof they ought to have Cognizance by virtue of any Ordinance of Parliament) ſhall aſſemble themſelves in ſuch certain place within that Province, as may be moſt convenient for the eaſe of the people: And thereof ſhall give timely notice to the Miniſters of that Province whereof they are Commiſſioners, and being met ſhall adjourn their Meeting from time to time, for ſuch time as the Caſe ſhall require.

XVIII. That the Elderſhip of each Congregation, or the Major part of them, as alſo the Claſſis of each Province, or Major part of them, and alſo the Provincial Commiſſioners, or the Major part of them, after they ſhall be aſſembled, ſhall have power by Warrant under their hands (in all Caſes whereof they have Cognizance by any Ordinance of Parliament) to covent before them all perſons againſt whom any Complaint ſhall be brought by virtue of any ſuch Ordinance, and all ſuch Witneſſes as ſhall be named according to any ſuch Ordinance, for the diſcovery of the Truth of ſuch Complaint: And in caſe any ſuch perſon ſhall refuſe to appear, not being a Peer of this Realm, Member of the Houſe of Commons, or Aſſiſtant of the Houſe of Peers, or Officer of either of the Houſes of Parliament, then upon Complaint made to the next Juſtice of the Peace, the Party refuſing ſhall be brought before him; and in caſe of obſtinate perſiſting, ſhall be committed by the ſaid Juſtice of Peace till he ſubmit to order.

XIX. That if any Member of a Congregation ſhall, by virtue of any Ordinance of Parliament, for any Offence of Scandal be ſuſpended from the Sacrament of the Lord's Supper; and being ſo ſuſpended, ſhall offer himſelf to any other Congregation to receive the Sacrament of the Lord's Supper together with them, ſuch Congregation having notice of ſuch Suſpenſion, ſhall not, without Certificate from the Congregation whereof he is a Member, admit him unto the Sacrament.

XX. That any Miniſter of a Congregation may be ſuſpended from giving or receiving, and any *Elder* from receiving the Sacrament of the Lord's Supper, for the ſame Cauſes, and in the ſame Manner, and have the like Benefit of Appeal, as any other perſon may by any Ordinance of Parliament. And after ſuch Suſpenſion of the *Elder* from the Sacrament, the *Elder* ſo ſuſpended ſhall not execute that Office during his Suſpenſion, until the Appeal be determined; and if upon Appeal the Suſpenſion appear to have been juſt, then another to be choſen in his place.

XXI. That in all Caſes of Appeal to the Claſſical, Provincial, or National Aſſembly, they ſhall have power reſpectively to proceed thereupon by Examination of Witneſſes and otherwiſe, in ſuch manner as the Congrega-

An. 1645. tional Elderſhip from which the Appeal ariſeth are enabled to do by any Ordinance of Parliament, and ſhall certify their Proceedings unto the ſaid Elderſhip.

XXII. That in caſe of ſuch Suſpenſion of any Miniſter, the Claſſis whereunto the ſaid Congregation doth belong, ſhall appoint ſome fit perſon or perſons for the ſupply of ſuch place during ſuch Suſpenſion; and ſhall have power to allow convenient Maintenance for that end, out of the profits belonging to the Miniſter ſo ſuſpended; and have hereby power to ſequeſter and employ the ſame for that purpoſe.

XXIII. That in all Caſes of Suſpenſion of any perſon from the Sacrament, the party ſuſpended (upon manifeſtation of his or her Repentance before the Elderſhip by whom the party was ſuſpended) ſhall be admitted again unto the Sacrament of the Lord's Supper, and the Suſpenſion thenceforth ſhall be void.

Provided, That if the ſaid Commiſſioners, or any Two of them, ſhall not determine the Caſe ſo certified as aforeſaid to them from the Elderſhip, within Six Weeks after the Certificate to them made, the Party is hereby enjoined to forbear coming to the Sacrament, until the Cauſe ſhall be determined, or until he give Satisfaction to the Elderſhip.

CHAP. VI.

Of the Affairs in and relating to Scotland, 1645.

WE have before in the Year 1644. given ſome Account of the Victorious Proceedings of the Marqueſs of *Montroſs* in that time: And to proſecute the Actions of that Nobleman, will comprehend the moſt remarkable Occurrences of that Kingdom in this Year, he making the principal Figure therein at this time.

Montroſs worſted at *Dundee*, *April* 4.

His firſt Attempt then was on the Town of *Dundee*; to which, upon (falſe) Intelligence that the Covenanters Army, under Sir *John Hurray*, General of Horſe, and Lieutenant-General *Bailey* (which before were quartered ſome on the *South*-ſide, and the other on the *North*-ſide of the River *Tay*) were all gone over to the other ſide of the River, he march'd about Midnight, *April* 3. from *Dunkelden* with ſo much Expedition, that he was at *Dundee* by Ten of the Clock next morning, and ſummon'd the Town, who ('tis ſaid) had notice of his Advances, and promiſe of ſpeedy Relief from *Hurray*; and ſo the Townſmen and Inhabitants, there being few Soldiers there, got themſelves in a Poſture of Defence. *Montroſs* ſent down the greateſt part of his Forces, who ſtorm'd the Town in Three places at once, gain'd one of the Forts, and poſſeſſing themſelves of the Ordnance therein, turned them upon the Town, and ſet fire on the Suburbs in ſeveral places: In the mean time *Montroſs* with about 500 Men ſtood on a Hill at ſome ſmall diſtance, not doubting of being Maſter of the whole Town, till his Scouts brought him word that *Hurray* with 1000 Foot and 800 Horſe was near approaching; whereupon he immediately gave Orders to his Men in the Skirts of the Town to retreat; which was difficultly obey'd, as being unwilling to part from that Booty, and eſpecially the Strong Drink they there met with: But in fine he got them off, the Enemy being almoſt within Muſquet-ſhot, and ſo as well as he could retreated, himſelf with his Horſe bringing up the Rear: But in the Aſſault and Retreat loſt great Numbers of his Men; and with much ado, and the Policy of a ſudden wheeling to the *Southweſt* to baulk the Purſuers, Night growing on, and then next Morning turning *Northward*, and paſſing over *South-Eſk* at a place not far from *Careſton* Caſtle, and ſo to *Brechin*, he made his Eſcape to the Mountains. And tho this Expedition was unfortunately (by the Miſinformation of his Scouts) attended with Loſs, yet conſidering all things, as to the Valour and Prudence of the General, and the Hardineſs and Patience of his Soldiers, who

21 *Caroli.*

who for Threeſcore Miles together were either in Fight, or upon a March, without any Refreſhment, it may be numbred amongſt one of the moſt remarkable Exploits of thoſe Times.

Fight between *Montroſs* and *Hurray* at *Alderni*, *May* 4.

His next Riſque was at a Village called *Alderne* in *Murray*, near *Innerneſs*, *May* 4. where being preſſed by *Hurray*, and fearing on the other ſide to be encompaſſed by *Bailey*'s Forces (for after the Battel of *Dundee* they had divided their Troops) he reſolv'd by neceſſity to engage *Hurray*, chuſing the beſt advantage of the Ground, whereon to expect the Enemy: Out of whoſe view, in a Valley, drawing up his Forces, and planting a few choice Foot with his Ordnance, he committed the Right Wing to *Alexander Mac-Donnel*, with 400 Foot, and lodg'd them in places fortified to their hand with Banks and Ditches, Shrubs and great Stones, enjoining him not to depart thence, but lye ſafe there, as a Reſerve upon any occaſion; withal committing to him the *Royal Standard*, which *Montroſs* himſelf had uſually born before him; hoping by the ſight of that to engage the Enemy that way to their diſadvantage, whilſt he took the opportunity to infeſt them elſewhere: And this partly ſucceeded according to his Wiſh; only *Mac-Donnel* by a too raſh Courage advancing out of his Natural Advantages, to meet and charge the Enemy, was overborn and put to flight: Tho the Enemy's Wing, which *Montroſs* himſelf charged, was alſo routed. So that it ſeem'd a kind of drawn Game, and both Sides, as they had fought ſtoutly, prerended to the Victory, there being about 2000 Men ſlain upon the place.

In the mean time the Parliament met at *Edinburgh*, to whom the Parliament of *England* ſent Commiſſioners: And the Aſſembly of the Kirk were buſy, and drew up the following *Remonſtrance*, which about the latter end of *June* was preſented to the King at *Hereford*.

To the King's moſt Excellent Majeſty.

The Humble Remonſtrance of the General Aſſembly of the Kirk of *Scotland*.

A Remonſtrance of the Kirk of *Scotland*, preſented to his Majeſty at *Hereford*, about the 25th of *June*, 1645.

AS our Record is on high, and our Conſciences bear us witneſs, ſo the many former Supplications and Remonſtrances to your Majeſty from this Kirk and Kingdom, our ſolemn Covenants, and the whole courſe of our Proceedings from time to time, in proſecution of this Cauſe, do make known to the World, and we truſt alſo to your own Conſcience, our Loyalty and faithful Subjection, and how far our Intentions are from the Diminution of your Majeſty's juſt Power and Greatneſs.

And altho the Succeſs of many of our humble Addreſſes to your Majeſty hath been ſuch as did fruſtrate our Deſires and Hopes, yet this hath not blotted out of our hearts our Loyalty ſo often profeſſed before God and the World; but it is ſtill our Souls deſire, and our Prayer to God for you, That your Self and your Poſterity may proſperouſly Reign over this your Ancient and Native Kingdom, and over your other Dominions.

And now as we have publiſhed a ſolemn and free Warning to the Noblemen, Barons, Gentlemen, Boroughs, Miniſters, and Commons of this Kingdom, concerning the preſent Affliction of this Nation, and their Sins procuring the ſame; ſo when we call to mind that God acceepteth not the Perſons of Men, and that the Greateſt are not to be winked at in their Sins, we aſſure our ſelves that the beſt and moſt real Teſtimony which we can give at this preſent of the Tenderneſs and Uprightneſs of our Affection to your Majeſty's true Happineſs, is this our humble and faithful Repreſentation of your Majeſty's great and growing Dangers, and the Cauſes thereof: Of which, if we ſhould be ſilent, our Conſciences would condemn us, and the Stones themſelves would immediately cry out.

The Troubles of our Hearts are enlarged, and our Fears increaſed in your Majeſty's behalf, perceiving that your Peoples Patience is above meaſure tempted, and is like a Cart preſſed down with Sheaves, and ready to break; while as beſides many former Deſigns and Endeavours to bring Deſolation and Deſtruction upon us, which were (and we truſt all of that kind ſhall be) by the marvellous and merciful Providence of God, diſcovered and diſappointed: Our Country is now infeſted, the Blood of divers of our Brethren ſpilt, and other Acts of moſt barbarous and horrid Cruelty exerciſ'd by the curſed Crew of the Iriſh Rebels and their Complices, under the Conduct of ſuch as have

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Commiſſion and Warrant from your Majeſty. And unleſs we prove unfaithful both to God and to your Majeſty, we cannot conceal another Danger which is infinitely greater than that of your Peoples Diſpleaſure: Therefore we the Servants of the moſt High God, and your Majeſty's moſt Loyal Subjects, in the Humility and Grief of our Hearts, fall down before your Throne, and in the Name of our Lord Jeſus Chriſt, *who ſhall judge the World in Righteouſneſs, both great and ſmall, and in the Name of this whole Kirk which we repreſent, we make bold to warn your Majeſty, That the Guilt which cleaveth faſt to your Throne is ſuch, as (whatſoever flattering Preachers or unfaithful Counſellors may ſay to the contrary) if not timely repented, cannot but involve your ſelf and your Poſterity under the Wrath of the Everliving God: For your being guilty of the ſhedding of the Blood of many Thouſands of your Majeſty's beſt Subjects: For your permitting the Maſs and other Idolatry both in your own Family and in your Dominions: For your Authorizing by the Book of Sports the Prophanation of the Lord's Day: For your not puniſhing of Publick Scandals, and much Prophaneneſs in and about your Court: For ſhutting of your Ears from the humble and juſt Deſires of your faithful Subjects: For your complying too much with the Popiſh Party many ways, and namely by concluding the Ceſſation of Arms in* Ireland, *and your embracing the Counſels of thoſe who have not ſet God nor your good before their eyes: For your reſiſting and oppoſing this Cauſe, which ſo much concerneth the Glory of God, your own Honour and Happineſs, and the Peace and Safety of your Kingdoms: And for what other Cauſes your Majeſty is conſcious, and may beſt judge and ſearch your own Conſcience; (nor would we have mentioned any Particulars, if they had not been publickly known.) For all which it is high time for your Majeſty to fall down at the Footſtool of the King of Glory, To acknowledge your Offences, To repent timely, To make your Peace with God through Jeſus Chriſt (whoſe Blood is able to waſh away your great Sins) and to be no longer unwilling that the Son of God reign over you and your Kingdoms in his pure Ordinances of Church-Government and Worſhip.*

Theſe things if your Majeſty do, it ſhall be no Grief of Heart unto you afterwards: A Bleſſing is reſerved for you, and you ſhall find Favour with God, and with your People, and with all the Churches of Chriſt. But if your Majeſty refuſe to hearken to this wholſome Counſel (which the Lord forbid) we have diſcharg'd our Conſciences; we take God and Men to witneſs, That we are blameleſs of the ſad Conſequences which may follow; and we ſhall wait upon the Lord, who when he maketh Inquiſition for Blood, will not forget the Cry of the humble. In the mean while beſeeching your Majeſty to take notice, That we are not ſtaggering or fainting through Diffidence of the Succeſs of this Cauſe and Covenant of the Three Kingdoms; unto which, as God hath given manifold Teſtimonies of his Favour and Bleſſing, ſo it is our ſtedfaſt and unſhaken Confidence, That this is the Work and Cauſe of God, which ſhall gloriouſly prevail againſt all Oppoſition; and from which, with the Aſſiſtance of the Grace of God, we ſhall never ſuffer our ſelves to be divided or withdrawn; but ſhall zealouſly and conſtantly in our ſeveral Vocations, endeavour with our Eſtates and Lives the purſuing and promoving thereof.

But to return to the Field-Action of *Scotland*.

Montroſs defeats *Bailey* at *Alford*, *July* 2.

The next Engagement *Montroſs* had was with *Baily*, at a place called *Alford*, on the Second of *July*; where he gave the Command of his Right Wing (on which ſide the Enemies Horſe were moſt ſtrong) unto the Lord *Gordon*, with *Nathanael Gordon*, an Old Commander, to be his Aſſiſtant: The Left Wing he diſpos'd to the Earl of *Aboyn*, to whom was alſo joined Sir *William Rollock*: The Main Body were led by *Glengar*, and *Drumond* of *Ball* the Younger, unto whom he added *George Graham*, Maſter of the Camp, an expert Soldier: And the Reſerve, which was altogether hid behind a Hill, was commanded by his Nephew *Napier*. Thus judiciouſly appointed, they ſmartly charged the Enemy, and after a briſk Diſpute forced them to retreat. The Loſs which *Montroſs* moſt regretted, being that of the Lord *Gordon*, who was there ſlain.

Montroſs's great Victory at *Killſythe*.

But if *Montroſs* had here the Advantage, it was nothing comparable to that which not long afterwards he obtain'd at *Killſythe*, not far from *Sterling*, where he utterly defeated *Baily's* Forces, and had the killing of them for Fourteen Miles together, and took all their Ordnance, Ammunition, Arms, and Spoil. *Argyle* (who was there) eſcaping to the *Scotiſh Fryth*, ſhipp'd himſelf in a Veſſel and got out to Sea. Sir *William Murray* of *Blebe*, *James Arnot*, Brother to the Lord *Burghley*, Col. *Dice*, Col. *Wallis*, and others, were taken Priſoners.

And

And *Montroſs*'s Men gave out, That that day they ſlew no fewer than 6000 of their Enemies, and that they themſelves loſt but Six Perſons, whereof Three were Gentlemen of the Family of the *Ogilby*'s, who had the beſt ſhare in acquiring this Victory. 21 *Caroli.*

The next day *Montroſs* march'd into *Cluidſdale*, and ſo to *Glaſcow*, taking that City into his Protection, and quarter'd his Army for ſome time at *Bothwell*, where ſeveral of the Nobility came in to him; as the Marqueſs of *Dowglas*, the Chief of that Name; the Earls of *Limmuck*, *Annandale*, and *Hertfield*; the Lord Barons of *Seton*, *Drummond*, *Fleming*, *Maderty*, *Carnegy*, and *Johnſton*, *Hamilton* of *Orbeſton*, *Charter* of *Hempſfield*, *Tours* of *Innerliegh*, *Stuart* of *Reſyth*, and *Dalyel* a Brother of the Earl of *Carnwarths*; and indeed the whole Country ſeem'd to be at his Devotion; inſomuch that he ſending Col. *Nathanael Gordon*, and a commanded Party of Horſe to *Edinburgh*, to ſummon that City, and command them to ſet the Priſoners that were there detained, at Liberty, *viz.* *Lodowick* Earl of *Crawford*, Chief of the *Lindſeys*, *James* Lord *Ogilby*, Son to the Earl of *Airley*, and others; the City immediately diſcharged the ſaid Priſoners, and ſent Delegates with them to *Montroſs*, beſeeching his Favour to the City, and promiſing all Obedience to the King: Upon which, and for that the Plague was then very rife in that City, he forbore marching thither with his Army.

Noblemen that join'd with *Montroſs*.

Priſoners at *Edinburgh* releaſed, and the City begs favour of *Montroſs*.

The *Scots* Army in *England* hearing of theſe great Succeſſes of *Montroſs* at home, raiſed their Siege from before *Hereford*, and diſpatch'd Lieutenant-General *David Leſley* with moſt of their Horſe for *Scotland*. And by Order of the Two Houſes, the 5*th* of *September* was kept at *London* as a Day of Humiliation and Prayer, for the Ceſſation of the Plague, and other preſent Calamities of that Kingdom. The 6*th* of *September* *Leſley* paſs'd the *Tweed*, and in *Scotland* muſter'd Nine Regiments of Horſe, Two Regiments of Dragoons, and Eight hundred Foot, which were taken out of the Gariſon of *Newcaſtle*, and other Forces rallied in that Kingdom.

Leſley paſs'd *Leſley*, with the Horſe out of *England*, croſſes the *Tweed*, *Sept.* 6.

Montroſs had Inſtructions from the King to march towards the *Tweed*, to be ready there to join with a Party of Horſe which ſhould be ſent him out of *England*: But theſe being the Horſe under *Digby* and *Langdale*, which were ſo unfortunately routed at *Carliſle*-Sands, as we have mentioned before, his Expectation therein was fruſtrated: And therefore fearing the Enemy would block up his Paſſage into the *North* and *Highlands*, reſolved with thoſe few Men he had (for many of the *Highlanders*, according to their Cuſtom, having got ſtore of Spoil, were run home therewith) to march into *Niddiſdale*, and *Annandale*, and the Countrey of *Aire*; that he might there raiſe what Horſe he could; and ſo marched towards *Selkirke*, where he quarter'd his Horſe in a Village called *Philip-haugh*, and his Foot in a Wood hard by, reſolving to make uſe of all Advantages of Ground, having on the one hand a deep Ditch, on the other Dykes and Hedges, which he cauſed to be lined with Muſqueteers; and 'tis like had been better prepar'd, if he had not been deceiv'd by the Miſtake of his Scouts, who aſſured him no Enemy was near. For tho *Leſley*, after a Muſter on *Gladeſmors*, a Plain in *Lothianſhire*, had quarter'd the Night before within Four Miles of *Selkirk*, yet *Montroſs* had no notice thereof till about Ten a Clock the next Morning, being *Saturday* the 13*th* of *September*, his Scouts came almoſt breathleſs to inform him, that *Leſley* was marching up within a Mile of him; and ſoon after came in view; whereupon *Montroſs* ſent out a Party of 200 Muſqueteers, who were forced to retreat in great Diſorder; and then *Leſley*'s Van advanced, and for about an Hour (being from about Eleven a Clock till Twelve) the Battel was very fierce; *Leſley*'s Horſe endeavouring to break through, and *Montroſs*'s Men with great Reſolution maintaining their Ground; till at length *Leſley* charging very deſperately at the Head of his own Regiment, broke the Body of *Montroſs*'s Foot, and put them into Confuſion, and then his Horſe being few, could make little oppoſition; ſo that the Foot were almoſt all cut off, or taken Priſoners, amongſt whom about an Hundred were *Iriſh*, who afterwards were all ſhot at a Poſt. *Montroſs* fought very bravely, and rallied his Horſe, and charged the Purſuers once or twice, and by that Bravery loſt more Men than otherwiſe he would have done. Here were taken Priſoners, the Earl of *Traquaine*, the Lords *Seton*, *Drummond*, *Ogilby*, *Gray*, and *Linton*; the Lord *Napier*'s

Montroſs routed at *Philip-haugh*, near *Selkirk*, *Sept.* 13.

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pier's Eldeſt Son, Sir *William Rollock*, *O Cahen*, Lieutenant-Colonel to the *Iriſh*, and many other Perſons of Quality. All the Baggage, and with it the Marquiſs's Commiſſion from the King to be Governor of *Scotland*, and a *Roll*, wherein were the Names of all that either were come in to, or held Correſpondence with *Montroſs*; which occaſioned trouble to many perſons afterwards.

Montroſs gets to the Mountains.

Montroſs with his ſhatter'd Forces being got beyond purſuit, made a Halt at a Town call'd *Peblis*, to refreſh his Men, and by break of day next morning (by the Conduct of Sir *John Dalyel*) paſſed over *Cluid* at a Ford, reſolving to make what haſte he could into *Athole*, that taking his Riſe there, he might draw what Forces he could raiſe of the *Highlanders*: Therefore paſſing firſt over the *Forth*, and then the *Ern*, and marching through the Sheriſdom of *Perth* by the Foot of the Mountains, he came thither, having ſent before *Dowglas* and *Airley* with a Party of Horſe into *Angus*, and the Lord *Areskin* into *Marr*, that they might raiſe their Friends and Dependants in thoſe parts; and alſo diſpatch'd Sir *John Dalyel* unto the Lord *Carnegy*, with Commiſſions for the ſame purpoſe. But tho he uſed all poſſible Endeavours, he could not afterwards raiſe any very conſiderable Army; tho ſtill he kept up his Forces, and by ſudden Marches and Attempts did continually alarm and vex the Covenanters, who cauſed ſeveral of his Friends whom they had taken Priſoners, to be executed; *viz.* Col. *Nath. Gordon*, Sir *William Spotſwood* (lately Principal Secretary of *Scotland*) *Andrew Guthery*, Son of the Biſhop of *Murray*, and *William Murray*, Son to the Earl of *Tullibardin*: But the Lord *Ogilby* made ſhift to eſcape; for pretending himſelf ſick, on that occaſion got leave for his Mother, Wife, and Siſters to viſit him, and one of the Siſters lay down in the Bed in his ſtead with his Cap on, and he putting on her Gown, went freely away with the other Ladies: The Siſter was queſtion'd and much threatned for this Contrivance; but by the help of the *Hamiltons* and *Lindſey*, to whom ſhe was related, was after ſome time diſcharged.

Royaliſts put to Death in *Scotland*.

Montroſs was extremely grieved for the Death of theſe his Friends, and endeavoured to revenge the ſame: And when at laſt, after the King's going to the *Scotiſh* Army in *England*, he received his Majeſty's Order to diſmiſs his Forces, and retire out of the Kingdom, he ſubmitted thereunto (tho not without ſome Reluctance, as believing thoſe Commands extorted from the King), and with ſeveral of his choiceſt Friends embark'd at the Haven of *Stanhyve*, and ſailed into *Norway* on the 3*d* of *September*, 1646. and in the Four and thirtieth Year of his Age.

Letter from the *Scots* Parliament to the City of *London*, *Jan.* 27. 164⅝.

Right Honourable,

YOur ſeveral Addreſſes to the Honourable Houſes of Parliament, and the relation of our Commiſſioners, hath given us ſo perfect knowledge and deep impreſſion of your affection and true zeal for the Reformation of Religion, and Uniformity of Church-Government, as hath much refreſhed us in our greateſt difficulties, and doth far exceed our acknowledgments.

YOUR conſtant care of advancing and furniſhing very great Sums of Money to the Armies who ſtand for defence of Religion, and the juſt publick Liberty of the Subjects in all the Three Kingdoms, is an evident demonſtration how much you prefer the Good of the Publick to your private Intereſt: And your ſpecial regard in chearfully ſupplying the Armies of this Kingdom with Money and other neceſſary Proviſions, in the times of their moſt urgent Neceſſities, hath ſo greatly endeared unto us the Brotherly Affection of that famous City, as will not only be a real Tye of Amity for the preſent, but will likewiſe lay a firm foundation of reciprocal Kindneſs and inviolable Friendſhip for all ſucceeding Ages. And as the many real proofs of your Affection and Fidelity, in doing and ſuffering for the Cauſe of God, gives unto us full perſuaſions and confidence of your Conſtancy for promoting thereof, till (by God's Bleſſing upon the joint Endeavours of both Nations) Truth with a juſt Peace (which is the higheſt of our deſires) be ſettled in all the Kingdoms: So do we conceive it ſuitable to your Deſerts, and agreeable to the Gratitude of this Kingdom, to return you moſt hearty Thanks; and to aſſure you, That all our Actions ſhall witneſs the Candor and Sincerity of our Intentions, and moſt

earneſt

earneſt deſires to embrace and improve all opportunities which may conduce to the Proſperity of your City, and teſtify the Brotherly Affection of

21 *Caroli.*

St. *Andrews*, 27. *Jan.* 164⅞.
For the Right Honourable the Lord Mayor, Aldermen, and Common-Council of the City of London.

Your moſt Loving and Faithful Friends,

Crawford *and* Lindſay,
Preſident of Parliament.

Right Honourable and Reverend,

THE large and abundant Proof you have given now a long time of your Sincerity, Conſtancy, and unwearied Painfulneſs in advancing and ſetling the Affairs of Chriſt, together with your Vigilancy and Circumſpection againſt every Way deſtructive to the Unity deſired and intended in our Solemn League and Covenant, remonſtrated to us by the General Aſſembly, and their Commiſſioners from time to time; as it doth comfort us in all the ſad Sufferings of this Land, ſo ſhall you receive the ſweet reward of your toiſome Labours in that Work ſo acceptable to God; and thereby your Name ſhall be famous to all Churches abroad, and your Memory gracious to Poſterity.

Letter from the Parliament of *Scotland* to the Aſſembly of Divines at *Weſtminſt. Feb.* 3. 164⅞.

And altho the Honourable Houſes of Parliament in that Kingdom are exerciſed with ſuch difficulties as occaſion theſe long delays of eſtabliſhing the Government of the Church agreeable to the Word of God, and the beſt Reformed Churches; yet are we confident, that (by the bleſſing of God upon the Endeavours of the Honourable Houſes) their Wiſdom and Zeal will break through all difficulties and delays, for ſetling that Government to our common Joy, whereby the hearts of the Lord's People fainting under languiſhing Expectation, may be comforted, the Adverſaries fruſtrated of their vain hopes, deluding Errors ſuppreſſed, dangerous Schiſms may be prevented, and groſs Prophanity, and every thing which is againſt the Power of Godlineſs may be baniſhed away; for which we have more fully repreſented our moſt earneſt deſires to the Honourable Houſes; and withal, do certify our Confidence and firm Reſolution by the Lord's Aſſiſtance, from his All-ſufficiency, That we ſhall give conſtant and real Teſtimony to our dear Brethren of *England*, and to all the World, who ſhall impartially conſider our Proceedings, that no difficulties, no dangers, nor ſufferings whatſoever, ſhall make us ſwerve from the mutual League and Covenant, nor from the active proſecuting the Ends thereof, by all poſſible and lawful means, to the utmoſt of our power. We reſt,

St. *Andrews*, *Feb.* 3. 164⅞.
For the Right Honourable and Right Reverend the Aſſembly of Divines at Weſtminſter.

Your Loving and Faithful Friends,

Crawford *and* Lindſay,
Preſident of Parliament.

Right Honourable,

THE Eſtates of Parliament of this Kingdom have conſidered the Deſires of the Honourable Houſes concerning the Gariſons placed by the *Scotiſh* Army, in the Towns and Caſtles of *Carliſle*, *Newcaſtle*, *Tinmouth*, *Hartlepool*, *Stockton*, *Warkworth* and *Thirlwal*, expreſſed in the Letter of the 13*th* of *November* laſt; and have ſent Inſtructions to their Commiſſioners to give ſuch an Anſwer to the Honourable Houſes, as they are confident may ſerve moſt for promoting the Cauſe wherein both Kingdoms are ſo highly engaged, and carrying on the War to the beſt advantage.

A Letter from the Parliament of *Scotland* to the two Houſes of Parliament in *England*, *Feb.* 3. 164⅞.

They have further given direction to their Commiſſioners to make known to the Honourable Houſes, the earneſt Deſires of this Kingdom for the ſetling of Religion and Church Government (which, as it was the principal ground of their Engagement in this Cauſe, ſo will the perfecting of it be their chiefeſt joy, and glory of both Kingdoms) and their propenſion for carrying on the War with the united affection, and Forces of both Kingdoms; And that no good means be left un-aſſayed for attaining a firm and laſting Peace, it being the conſtant Reſolution of this Kingdom againſt all oppoſition, to ſtrengthen and cheriſh the unity and Brotherly kindneſs between

An. 1645.

the Kingdoms; and Peace ſetled with Truth, and theſe things performed by the Honourable Houſes (which by Treaty they are obliged unto) to recall the *Scotiſh* Army with as great Alacrity as they were ready to ſend the ſame into *England* for the Aſſiſtance of their Brethren.

The Inconſtancy of the Weather in this Seaſon hath been an Impediment to the Paſſage betwixt this and *Ireland*, ſo as they have not yet had an Anſwer to their Letters ſent hither concerning *Belfaſt*; but they have commanded their Committee to return Anſwer to the Honourable Houſes in that particular, how ſoon they ſhall receive Information concerning the ſame. We are,

St. *Andrews*, 3. *Feb.* 1645.

For the Right Honourable the Lords and Commons aſſembled in the Parliament of England *at* Weſtminſter.

Your Affectionate Friends, and Humble Servants,

Crawford *and* Lindſay, *Preſident of Parliament.*

Another Letter from the ſame to the ſame, dated alſo the ſame day.

Right Honourable,

AS the Parliament of this Kingdom doth acknowledge the Zeal and Endeavours of the Honourable Houſes of Parliament, for the good progreſs already made towards Reformation of Religion, and Uniformity of Church-Government: So it is expected, that (when they ſhall ſeriouſly conſider the Brotherly Affection and great Sufferings of this Kingdom, who from a peaceable Condition which we formerly enjoyed, did engage our ſelves in a dangerous and Bloody War with *England*, againſt their Enemies, when their Affairs were in the hardeſt and loweſt condition, upon a mutual League and Covenant to ſettle Religion and Church-Government, according to the Word of God, the Practice of the beſt Reformed Churches, and as might draw the neareſt Uniformity betwixt the Two Kingdoms, which was acknowledged to be the chief ground of craving Aid and Aſſiſtance from this Kingdom) the Honourable Houſes will now (after ſo mature deliberation) add their Authority and Civil Sanction without further delay, to what the Pious and Learned Aſſembly of Divines, upon mature and accurate Debates, have adviſed to be moſt agreeable to the Word of God; and perfect what remains to be done in the Work, according to the Covenant; which I am commanded by the Parliament of this Kingdom to demand, and do accordingly in their Names demand of the Honourable Houſes of Parliament of *England*: The performance whereof will be moſt acceptable to this Kirk and Kingdom, as a ſpecial Recompence of the Labours and Blood which hath been ſhed in aſſiſting you to promote the Cauſe of God, and will be a mean to procure God's bleſſing upon the Proceedings and Undertakings of both Kingdoms. And the Parliament of this Kingdom is perſuaded, That the Piety and Wiſdom of the Honourable Houſes will never admit Toleration of any Sects or Schiſms, contrary to our Solemn and Sacred Covenant.

The next deſire of the Parliament of this Kingdom (and which of all things next to Truth is moſt deſirable) is, That all lawful means be uſed for attaining a juſt and well-grounded Peace: For which end, I am commanded to deſire, and do accordingly in the Name of the Parliament of this Kingdom deſire, That the Propoſitions of Peace be diſpatched to his Majeſty, and may be ſo purſued and managed, as may beſt procure the ſetling of Truth and Peace, that there may be an end of the great Diſtractions and unnatural War of all the Three Kingdoms.

This Kingdom lieth under the Burthen of great and vaſt Expence in raiſing and entertaining Armies; and hath with the loſs of the Lives of many precious men, ſet their own Houſes on fire to quench the flame of yours, and almoſt deſtroyed their own Nation to preſerve yours. And ſeeing the ſeaſonable Aſſiſtance afforded by this Kingdom to you, and by the late Succeſſes wherewith God hath bleſſed your Armies, you are in a great meaſure freed of your Trouble, and are in a far better Capacity to pay the Money due to our Armies in *England* and *Ireland*, than you were at any time ſince the beginning of theſe Wars, I am likewiſe commanded by the Parliament of this Kingdom to demand, and accordingly do in their Name demand of the Honourable Houſes of Parliament, to make Payment before the Third of *May* next,

next, of the Sums of Money duly owing by them to this Kingdom, and their Armies in *England* and *Ireland*, according to the Treaties between the Two Kingdoms (the Account whereof will be given in by our Comissioners) that this Kingdom may be thereby relieved of the great Burthens and Pressures of our Debts contracted in this Cause, and be enabled and encouraged for joint carrying on of the War, till the Church of God be setled in Purity and Peace. 21 *Caroli.*

And it is further craved from the Justice of the Honourable Houses of Parliament, That they will take into their serious Consideration the great Losses sustained by this Kingdom at Sea, through the not attendance of their Ships upon our Coasts, according to the Treaty, and make Reparation thereof; and of the Losses which *Scotland* hath sustained by the *Irish* Invasion, which the Kingdom of *England* is bound to suppress by the large Treaty. In all which, the Desires of the Parliament of this Kingdom are no other than, That Religion and Church Government may be setled according to our Covenant: That the War may be carried on with Brotherly and constant Affection, by the joint Counsels and Forces of both Kingdoms: That a well-grounded and durable Peace may be endeavoured betwixt the King and his Subjects: That Payment be made of the Sums due to this Kingdom and our Armies by Treaty; and that (against the Malice of our open Enemies, and secret Plots of such as for their own Ends are labouring to sow Sedition betwixt Brethren tied by so many Relations) mutual Amity and Union between the Kingdoms may be strengthned and perpetuated to all Posterity. We rest,

St. Andrews, 3. Feb. 164⅚.
For the Right Honourable the Lords and Commons assembled in the Parliament of England *at* Westminster.

Your Affectionate Friends, and Humble Servants,

Crawford *and* Lindsay,
President of Parliament.

Right Honourable,

A Letter from a Committee of the Parliament of *Scotland* to the Two Houses of Parliament in *England*, *Feb.* 10. 164⅚.

BEing appointed by the Parliament of this Kingdom, now adjourned, to keep Correspondence with the Honourable Houses of Parliament of *England*, and being intrusted with the pursuance of their Desires for the furtherance of the Common Cause, and the publick and mutual good of both Kingdoms; We do in the Name of the Parliament, and by their Authority certify, That this Kingdom, notwithstanding all their sufferings and discouragements, are not moved or shaken from their former Resolutions and Vows, but will live and dye with their Brethren of *England*, in the prosecution of the Ends expressed in the Solemn League and Covenant: Being confident of the like Inclination and Resolution of the Parliament and Kingdom of *England*, against all such groundless Suspicions and needless Jealousies to the contrary, as bad Instruments from the beginning to this day, have been, from their Envy of our common Happiness, and for their own private Ends, inventing and suggesting; that all the common Troubles which both Kingdoms have endured, may end in a publick Tragedy, to the Scandal and Grief of the Reformed Churches, the hardning and strengthning of our common Enemies, the making of our selves the Instruments of our own mutual Ruin and Destruction; and, which is most of all, the Dishonour of the Great Name of our God, with whom we have entred in Covenant for the Propagation of the Gospel, and the Advancement of the Kingdom of his Son.

For the present, according to the Trust committed unto us, we make our Address to both Houses in the Particulars following, and do not doubt but we shall receive such Satisfaction as may be a real Testimony of their Justice and Brotherly Kindness. Upon Information from our Commissioners there, the Parliament before their adjourning did understand what was written by one calling himself *Robert Wright*, and informed by another whose Name was kept in the dark, and confirmed by a Letter of Mr. *Jermin* to the Lord *Digby*, against this Kingdom, their Army in *England*, and their Commissioners there. The Accusations are of so high a nature, and so sophistically insinuated, that the Parliament, which during their sitting were upon all occasions endeavouring the best ways of the preserving the happy Conjunction of the Two

An. 1645. Kingdoms, were much affected therewith, as a matter wherein they were much concerned, both for their own Vindication, and the Satisfaction of their Brethren. If there ſhall be any matter or ground of ſuch Accuſation found againſt any Perſon of this Kingdom, or our Army, or any of our Commiſſioners, we are no leſs willing that it be examined, and puniſhed to the full, than we deſire and expect that the like be done againſt any in *England*, that tranſgreſs in that kind; which is conform to our Covenant, wherein we all ſwear, *With all Faithfulneſs to endeavour the Diſcovery of all ſuch as have been or ſhall be Incendiaries, Malignants, or Evil Inſtruments, by hindring the Reformation of Religion, dividing the King from his People, or any of the Kingdoms from the other, that they may be brought to publick Trial, and receive condign Puniſhment, as the degree of their Offences ſhall require or deſerve.* But let us deſire and expect from our Brethren, all Charity, Tenderneſs, and Reſpect to this Kingdom, our Army, and Commiſſioners, of whoſe Faithfulneſs they have had ſo large and manifold Experience, and in their ſeveral Letters to this Kingdom did give them ſo ample Teſtimonies; that no Aſperſion or Suſpicions lye upon them, by concealing the Names of any Perſons who can be diſcovered. And therefore, according to the Truſt committed unto us, we do deſire in Name of the Parliament and Kingdom of *Scotland* (if that *Robert Wright* be not yet found out, who he is; and that *hidden Knight*, after ſo long a time be not yet unſecreted, and made known by name) all means may be uſed for diſcovering the one, whoſe Letters have been ſo frequently produced before the Committee of both Kingdoms; and revealing the other to our Commiſſioners, which is in the power of ſome of the Members of the Houſe of Commons to do; that both Kingdoms may be ſatisfied when the Truth is brought to light, and all ſuch Jealouſies and Miſunderſtandings may be prevented for the future.

We do alſo repreſent to the Honourable Houſes of Parliament, That this Kirk and Kingdom is more ſcandalized and grieved in the matter of Religion, which immediately concerneth God and his Honour, than in any thing on Earth touching themſelves and their own Name.

A *Directory* for the Worſhip of God is agreed upon in the Aſſembly, and authorized by both Kingdoms, and practiſed carefully by this Church; but the *Service-Book* ſtill retained in ſome Places of *England* under the Parliament's Power, and the *Directory* very much ſlighted, and by ſome avowedly written againſt. Inſtead of the intended Unity in Religion, Blaſphemous Errors, Hereſies, Sects, and Schiſms, are increaſed and multiplied through the want of Church-Government. The National Aſſembly of this Kirk in their Anſwer to the Declaration of the Parliament of *England*, of the date *July*, 1642. profeſs, *That themſelves and all the well-affected within the Kingdom, are exceedingly grieved and made heavy, becauſe the Reformation of Religion had moved ſo ſlowly, and ſuffered ſo great interruption.* And the Lords and Commons in Parliament aſſembled, in their Reply did profeſs, *That the miſerable Eſtate of the Church and Kingdom was not able to endure any longer delay.* Like as in their Declaration ſent to the general Aſſembly, they profeſs, *That they do not doubt but to ſettle ſuch a Reformation of the Church, as ſhould be moſt agreeable to God's Word.* And in the aforementioned Reply they declare, *That their purpoſe is to conſult with Godly and Learned Divines, that they may ſettle ſuch a Government as may be moſt agreeable to God's moſt holy Word.*

Some Commiſſioners from this Kirk have attended the Aſſembly of Divines there, for the ſpace of Two Years and a half; and long ago the Aſſembly have offered their Advice to both Houſes, yet can we hear nothing of the ſetling of a Government; but upon the contrary, of a real Growth of all Sects and Errors, and of great Endeavours for *Toleration* thereof; which maketh us and this Church and Kingdom, who cannot underſtand where the difficulty and obſtruction lieth, to wonder at ſo long a delay; wherein we are very much intereſted, not only in relation to the Glory of God, our mutual League and Covenant, and the Peace and Happineſs of that Church and Kingdom; but alſo in regard of the Unity of Religion amongſt our ſelves, and of the Peace of this Kingdom, which cannot be long preſerved from ſo dangerous Contagion; which would be more grievous and intolerable unto us, than all our Troubles and Sufferings have been: And therefore from all theſe Conſiderations, in Name of this Kingdom and Parliament, we do in

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all earneſtneſs deſire, That Church Government may now at laſt, without further delay, be ſetled according to the Covenant. 21 Car. 1.

We do in like manner preſs what hath been ſolicited by our Commiſſioners for the ſpace of Eight Months paſt, That the Propoſitions of Peace, after ſo much Debate and Deliberation agreed upon unanimouſly by both Kingdoms, the moſt material whereof have been fully Treated upon at *Uxbridge*, may be forthwith ſent to his Majeſty; wherein this Kingdom is the more earneſt, that they know not the cauſe why the ſending of theſe Propoſitions is ſo long ſuſpended: They long for the end of this unhappy War, by the happy ſettling of Religion and Peace; and ſo much the more, that they do perceive ſome would make uſe of the Continuance of theſe Wars, to raiſe and foment Jealouſies and Differences betwixt theſe Kingdoms, and to ſeparate thoſe whom God hath ſo ſtrictly tied for ſo good Ends, by ſo many Bonds and Relations; and we are confident will never ſuffer to be divided, but ſtill continue them in a firm and bleſſed Conjunction againſt all Machinations of Satan and his Inſtruments: Which ſhall ever be the ſetled Reſolution and conſtant Endeavour of

St. *Andrews* 10. *Feb.* 164⅝.
For the Right Honourable the Lords and Commons aſſembled in the Parliament of England *at* Weſtminſter.

Your Lordſhips moſt Affectionate Friends, and Humble Servants,

Loudoun, *Cancellarius.*
I. P. D. Com.

Right Honourable and Reverend,

YOur Letter of the 15*th* of *January* did refreſh us not a little; for therein we beheld (that which we alſo heard by the particular Relation of the Right Honourable the Lord Chancellor, and the Lord *Warſton*, Witneſſes of all) the Work of your Faith, the Labour of your Love, the Patience of your Hope, your Conſtancy in Well-doing, your Sympathy and Bowels of Love towards us your Beloved and Covenanted Brethren; your holy Zeal for the Lord, your Painfulneſs and Diligence to have his Temple purged of all Errors and Schiſms, and his Government eſtabliſhed and ſetled on the right Foundation; your Watchfulneſs to hold faſt our ſolemn League and Covenant, to entertain that Brotherhood and Unity between the Nations, to ſhun every thing deſtructive thereof, and contrary thereunto: For all the lively and lovely Expreſſions whereof, we cannot but bleſs the Lord, rejoice in your behalf, and gather hopes of a very rare Bleſſing to enſue upon your faithful Labours. Letter from the General Aſſembly of the Presbytery in *Scotland*, to the Aſſembly of Divines at *Weſtminſter*, *Feb.* 12. 164⅝.

We are confident that the Maſter-builder ſhall appoint and reward your Work, and ſtrengthen your Hearts and Hands, that you ſhall ſee with comfort the ſweet fruits of all your pains, and tranſmit to Poſterity that which ſhall make your Name to be had in everlaſting remembrance, and to ſmell as a precious oyntment to After-Ages. We are not ignorant with how many difficulties you are compaſſed; but we truſt, that your ſeeking of the Lord ſhall not be in vain; for not by might, nor by power, but by the Spirit of the Lord of Hoſts ſhall the Mountains be made plain, and the Head-ſtone of the Building be brought forth with ſhoutings. Many go about to cut aſunder the Staves of Beauty and Bonds, and to break the Brotherhood between *Judah* and *Iſrael*; but bleſſed be the Lord your God, who hath filled your hearts with a better Spirit, even his own Spirit, a Spirit of Wiſdom and Underſtanding, a Spirit of Unity and Verity; the fruits and operations whereof, as they have been hitherto, ſo we doubt not they ſhall be hereafter manifeſted more and more in your conſtant Care and Endeavours with the Honourable Houſes of Parliament, for eſtabliſhing the Government of the Church conform to the Word of God, and the Example of the beſt Reformed Churches, and for removing all Jealouſies, and preſerving entire Unity between the Kingdoms; which hath been, and ever ſhall be among the chiefeſt of our deſires and travels here.

We do and ſhall rejoice in all our Undertakings, Engagements, and Sufferings for you and with you, and are reſolved to ſpend and be ſpent for your good, for promoting and ſetling the great Affairs of the Kingdom of our Lord among you, and for making his *Jeruſalem* a Praiſe in the Earth; that all

An. 1645. all with one heart and one conſent may ſerve and glorify him in the Unity of Doctrine, Worſhip, and Government. This is the Sum of all our Deſires and Deſigns, which this worthy Bearer the Lord *Waryſton*, can at greater length make known unto you. Now unto our God, who will perfect that which he hath begun, and haſten the Day wherein all the Sons and Daughters of *Judah* ſhall rejoice, and cry with ſhouting, *Jeruſalem* is built, and *Babylon* is fallen; we recommend you and your Labours in this great Work.

St. *Andrews*, 12. *Feb.* 164⅝.
For the Right Honourable and Right Reverend the Aſſembly of Divines at Weſtminſter.

Subſcribed in Name and by Command of the Commiſſion of the General Aſſembly, by
Mr. Robert Dowglas, *Moderator.*

CHAP. VII.

Occurrences in the Kingdom of Ireland, *or relating thereunto, in the Year* 1645.

OF the Ceſſation made in *Ireland*, as alſo of the Lord *Inchiquin's* oppoſing it, and ſiding with the Parliament, we have before, in the Year 1644. given an Account: Which Ceſſation, tho not well obſerved by the *Iriſh*, yet being ſtill continued, much Action cannot be expected; thoſe that adhered thereunto, ſpending the time in Treaties, in order to the concluding of a Peace; and for thoſe that renounced the ſaid Ceſſation, many of the *Scots*, by reaſon of *Montroſs's* Succeſſes there, were recalled home, and Supplies as yet came but ſlowly from *England*, ſo that they were not able to effect much; yet ſome Rancounters did occur, which are here to be mentioned.

The *Britiſh* Forces of *Ulſter* make an Expedition into *Connaught*, *June*, 1645.

The *Britiſh* Army in *Ulſter* having received a Month's Victuals from the Parliament of *England*, about the 17*th* of *June* 1645. advanced out of their ſeveral Quarters, with about 4000 Foot and 600 Horſe (not being able to march with Ordnance, for want of Carriages): They came to a Rendezvouz near *Augher*, *June* 20. Sir *Robert Stewart* (by conſent) commanding in Chief for that Expedition. Then they paſs'd over at *Iniskillin*, and ſent a Party of 500 Foot and 100 Horſe to *James*-Town, over the *Moſſes*, the neareſt way, to join the *Connaught* Forces in the Gariſons thereabouts, and to advance into the County of *Roſcommon*, to ſeek for Booty for Relief of the Army, and to come up to a Rendezvouz five or ſix days after with the Army at *Bellinafad*, near the Abby of *Boyle*. The Main Body marched *June* 24. to *Manor-Hamilton*, and ſent out a Party of Horſe commanded by the Lord *Montgomery*, who advanced to the Borders of the County of *Mayo*; but underſtanding the Country was all deſerted, his Lordſhip attended the coming up of the Army at *Aghaconry*, near which place ſeveral Caſtles were kept by the Rebels, which fired upon that Party in their paſſage by; but moſt of them were either taken by the Army as they marched up, or deſerted: Amongſt which one ſtrong Caſtle, held by Captain *O Hara*, was taken by the Soldiers without Command; for being at a Halt near it about Twelve a Clock, and ſeeing ſome Poultry under the Walls, ſome of the Soldiers ran down to get them for their Dinners; and ſome Shots being made at them by the Caſtle, they anſwered them again; which cauſed others to advance to their Reſcue; and ſo after an Hours Service, and Two or Three kill'd, and ſome hurt without and within, they forced the Rampire, and put Fire to the Gate; whereupon Quarter was earneſtly called for, and granted at diſcretion: In the place they found good Store of Proviſion, about Fifty Cows, and ſome Arms and Ammunition.

June 29. The Army marched towards their Rendezvouz at *Ballinafad*, where the Lord *Montgomery* and his Party came up again to them with a Booty of 500 Cows; and the *Connaught* Horſe joined with them, being Five

good

good Troops, and a Hundred Dragoons; and ſo ſending out Parties to forage the adjacent Countries, having got great Numbers of Cows, Sheep, Horſes, *&c.* they came up to *Sligo* about the beginning of *July*, and took that Town after two days Battery with Three or Four Pieces, which they took from aboard the Ships that brought the Preſident of *Connaught*'s Proviſion: There were ſlain about 160 of the *Iriſh* Party; the Proteſtants loſt about 12 at the entring of the Breach, and ſome wounded. There were 500 Soldiers placed in Gariſon under Sir *Robert Stewart*, and a proportion of Victuals aſſigned them out of the Booty, and the reſt divided amongſt the Army, being in all near 3000 Head of Cattel. And ſo the *Ulſter* Forces retreated homewards to their Quarters, where they arrived about *July* 13. 21 *Caroli.* *Sligo* taken, *July* 7.

But the *Iriſh* were reſolved to attempt the regaining of that Town; and therefore on *Sunday* the 17*th* of *October*, 1645, ſurrounded it with above 1000 Foot, and 300 Horſe; whereupon the Gariſon conceived it abſolutely neceſſary to hazard the fighting with them with their own Strength, and Sir *William Cole*'s, Troops, rather than to ſtarve themſelves, and loſe their Out-Gariſons, which were blocked up, the Enemy lying between them; ſo Captain *Coote* and Captain *Cole* commanding out 200 Horſe, charged the Rebels Horſe very reſolutely, and beat them within the Diviſions of their own Foot: And Lieutenant-Colonel *Sanderſon* at the ſame time ſallying out of the Town with his Foot, and Sir *Francis Hamilton* coming in the Nick of time with his Troop, they had all Execution upon them for Five Miles; and took 150 Horſe, with their Arms, their Tents, and other Ammunition; ſeveral Colours of Horſe and Foot, and many Officers of Note, to the Number of about 28 Priſoners, and about 200 kill'd, and amongſt them the Archbiſhop of *Tuam*, the Rebels Preſident of *Connaught*, and one of their Supreme Council of *Kilkenny*, who attended their Army at this time to viſit his Dioceſs, and to put in execution an Order for the Arrears of his Biſhoprick granted to him by the ſaid Council: Which Order, together with a Bull of the Popes, and ſeveral Letters of Correſpondence between him and his Agents from *Rome*, *Paris*, and other Parts, were found amongſt his Baggage; and particularly, the Copy of certain Articles of Agreement, purporting to have been made between the Earl of *Glamorgan* and ſeveral of the chief of the Rebels the *Auguſt* before, in theſe Words: The Archbiſhop of *Tuam* ſlain.

'WHereas in theſe Articles touching the Clergy-Livings, the Right Ho-'nourable the Earl of *Glamorgan* is obliged in his Majeſty's behalf to 'ſecure the Conceſſions in theſe Articles by Act of Parliament: We holding 'that manner of ſecuring thoſe Grants as to the Clergy-Livings, to prove 'more difficult and prejudicial to his Majeſty, than by doing thereof and ſe-'curing thoſe Conceſſions otherwiſe; as to the ſaid Livings, the ſaid Earl 'undertaking and promiſing in the behalf of his Majeſty, his Heirs and Suc-'ceſſors, as hereby he doth undertake, to ſettle the ſaid Conceſſions, and ſe-'cure them to the Clergy and their reſpective Succeſſors in another ſecure 'way, other than by Parliament, at preſent, till a fit opportunity be offered 'for ſecuring the ſame, do agree and condeſcend thereunto: And this Inſtru-'ment by his Lordſhip ſigned, was before the perfecting thereof intended to 'that purpoſe as to the ſaid Livings, to which purpoſe we mutually ſigned this 'Indorſement: And it is further intended, That the Catholick Clergy ſhall 'not be interrupted by Parliament or otherwiſe, as to the ſaid Livings, con-'trary to the meaning of theſe Articles.

Glamorgan.

Copia Vera colata fideliter cum Originali, Thomas Caſhel, Fra. Patricius Waterford & Liſmore.

This is a True Copy of the Original Copy found in the Archbiſhop of Tuam's *Carriage; compared by us,* Arthur Anneſley, Robert King.

'I *Ed-*

An. 1645.

The Earl's Oath.

'I *Edward* Earl of *Glamorgan* do proteſt and ſwear, faithfully to acquaint the 'King's moſt Excellent Majeſty with the Proceedings of this Kingdom, 'in order to his Service, and to the Endearment of this Nation, and punctual 'Performance of what I have (as authorized by his Majeſty) obliged my 'ſelf to ſee performed; and in default, not to permit the Army intruſted in- 'to my Charge to adventure it ſelf, or any conſiderable part thereof, until 'Conditions from his Majeſty and by his Majeſty be performed.

Sept. 3. 1645. *Glamorgan.*

Copia Vera concordans de Verbo ad Verbum fideliter cum Originali, Tho. Caſhel.

This is a True Copy of the Original Copy found in the Archbiſhop of Tuam's *Carriage; compared by us,* Arthur Anneſley, Robert King.

When this Treaty came to be known, the Earl of *Glamorgan* was committed to Priſon by the Lord *Digby*, one of the Principal Secretaries of State to his Majeſty, who was then in *Ireland*, and gave the following Account thereof to Secretary *Nicholas*.

To Secretary Nicholas.

My good Brother,

Lord *Digby's* Letter to Secretary *Nicholas*, *Jan.* 4. 164⅝.

YOU will receive by this Diſpatch a particular Account from my Lord Lieutenant, of the State of the Treaty here, and of thoſe Conditions upon which he was hopeful ſuddenly to have concluded ſuch a Peace, as would have afforded his Majeſty powerful and timely Aids from this Kingdom, had not the Unfortunate Madneſs (for I can give it no other name) of my Lord of *Glamorgan*, and the neceſſary proceeding thereupon, caſt all things back into a poſture as uncertain and more dangerous than ever: You will receive from my Lord Lieutenant and the Council here, a punctual Relation of the Matter of Fact; and it is referred to me to convey unto you, and by you to his Majeſty, the Circumſtances and Reaſons of the whole proceeding againſt his Lordſhip.

About Ten days ſince, matters of the Treaty growing near to a Concluſion, and in confidence thereof Preparations being made by my Lord of *Glamorgan* and the *Iriſh*, (as they aſſured us) for the ſpeedy ſending over of Three thouſand Men for the Relief of *Cheſter*, which were to be made up Ten thouſand before the beginning of *March*: It was thought neceſſary that we ſhould confer with the ſaid Earl of *Glamorgan* and ſome of the *Iriſh* Commiſſioners, to the end that before my Lord Lieutenant's final Conſent to the Articles of the Treaty, the buſineſs of the King's Supply might be reduced from Diſcourſe to a Certainty, and directed in the moſt advantageous way for his Service: To which end (we little ſuſpecting then what was ſince diſcovered) the ſaid Earl of *Glamorgan*, and ſome of the *Iriſh* Commiſſioners then at *Kilkenny*, were earneſtly invited hither both by my Lord Lieutenant and my ſelf.

Upon *Monday* laſt, the day before the ſaid Earl of *Glamorgan* was expected in Town, my Lord Lieutenant received out of the *North*, from an honeſt and well affected Perſon, the Copy which is ſent you of my Lord of *Glamorgan*'s Articles and Oath with the Confederate Catholicks, aſſured to have been found in the Titular Bp of *Tuam*'s Pocket, killed in *October* laſt at *Sligo*. At firſt the thing appeared ſo impoſſible, as that we were apt to think it a Forgery and Plot againſt the King, of the Parliamentary Rebels; till conſidering the Circumſtances, Formalities, and Punctualities thereof, we grew to apprehend ſomewhat more in the matter; and ſoon after, a Second and Third Copy of the ſame coming to other Perſons, all with Letters to the Effect of this incloſed, it was then thought high time to take the buſineſs into moſt ſerious Conſideration: Which being done by my Lord Lieutenant and my ſelf, aſſiſted by ſome of the wiſeſt and beſt-affected Perſons here, we ſoon concluded, That if theſe things were once publiſhed, and that they could be believed to be done by his Majeſty's Authority, they could have no leſs fatal an Effect, than to make all men, ſo believing, conclude all the former Scandals caſt upon his Majeſty, of the

the inciting this *Iriſh* Rebellion, true: That he was a Papiſt, and deſigned to introduce Popery, even by ways the moſt Unkingly and Perfidious: And conſequently that there would be a general Revolt from him of all good Proteſtants, with whom this Opinion could take place.

Now when we conſidered the Circumſtances convincing the Truth of this Tranſaction on my Lord of *Glamorgan*'s part, and how impoſſible almoſt it was for any man to be ſo mad, as to enter into ſuch an Agreement, without Powers from his Majeſty; and there being ſome kind of a formal Authority vouched in the Articles themſelves; we did alſo conclude, That probably the greateſt part of the World, who had no other knowledge of his Majeſty than by outward appearances, would believe this true, and do according to that belief, unleſs his Majeſty were ſuddenly and eminently vindicated by thoſe who might juſtly pretend to know him beſt. Upon this ground it was alſo concluded by us, That leſs than an Arreſt of the Earl of *Glamorgan* upon Suſpicion of High Treaſon, could not be a Vindication of his Majeſty eminent or loud enough; and that this part could not properly nor effectually be performed by any other Perſon than my ſelf, both in regard of my Place and Truſts near his Majeſty: That the Buſineſs of *Ireland* had paſſed for the moſt part through my hands: That I attended his Majeſty about the time of the Date of his Majeſty's pretended Commiſſion: That ſince that time I had by his Majeſty's Command written to the *Iriſh* Commiſſioners a Letter, whereof I ſend you a Copy, ſo diametrically oppoſite to the ſaid Earl's Tranſactions: And laſtly, in regard that my Lord Lieutenant, to whom otherwiſe his Majeſty's Vindication in this kind might properly have belonged, was generally thought to be unworthily cozened and abuſed in the matter, in caſe there were any ſuch ſecret Authority given by his Majeſty to the Earl of *Glamorgan*.

This being our unanimous Judgment of what was fit to be done, and by whom, the only queſtion then remaining, was to the point of time; in which we were alſo of opinion, That if it were deferred till the buſineſs growing publick otherwiſe, ſhould begin to work its miſchief, his Majeſty's Vindication would loſe much of its force, and be thought rather applied to the Notoriety than to the Impiety of the thing; and rather to the pernicious Effects, than to the deteſtable Cauſe it ſelf: Notwithſtanding, I muſt confeſs unto you, That the conſideration of fruſtrating the Supplies of Three thouſand Men, which were ſo confidently affirmed to be in readineſs for the Relief of *Cheſter*, in caſe the Condition of that Place could not bear the Delay which this might occaſion, wrought in us a very great ſuſpenſion of Judgment, whether the Proceedings againſt my Lord of *Glamorgan* ſhould not be forborn till that ſo neceſſary Supply were ſent away. But the Caſe being more ſtrictly examined, we found, Firſt, That by the Lord of *Glamorgan*'s Oath, the Forces were not to be hazarded till his Majeſty's Performance of the ſaid Earl's Conditions. And Secondly, That the Supply was never intended by my Lord of *Glamorgan* and the *Iriſh*, till the Articles of Peace were conſented; which the Lord Lieutenant durſt in no wiſe do, without a preceding Vindication of the King's Honour, ſince this Tranſaction of my Lord of *Glamorgan*'s was known unto him, and known to be known unto him, by thoſe who wanted neither Art nor Malice to make uſe of it. So that the neceſſary Forbearance to conclude the Treaty, fruſtrating as much the Relief of *Cheſter*, as the ſudden and vigorous proceeding againſt my Lord of *Glamorgan* could do, our Reſolutions did in the end determine upon that Courſe; when at the inſtant to remove all Objections, Information was brought us, That the thing was already publick throughout the Town, and began to work ſuch dangerous effects, as in truth I do not believe that my Lord Lieutenant, or any of the King's faithful Servants could have been many hours ſafe in the delay of this his Majeſty's and their Vindication: Which has now been ſo reaſonably applied, as that it hath wrought here not only a general Satisfaction in all moderate men, but even ſuch a Converſion in many leſs well-inclined, that whereas before a Peace with the *Iriſh*, even by thoſe unavoidable Conditions upon which my Lord Lieutenant muſt needs within few days have concluded, it would hardly have been publiſhed in this Place without very much danger; mens minds are ſo ſecured and ſetled by this proceeding, as that I believe the Peace now would be embraced upon thoſe, and perhaps upon harder Terms, without much Mu-

An. 1645.

tiny or Repining. This being ſo, our chief remaining Fear is, leſt what hath been done againſt my Lord of *Glamorgan* ſhould ſo far incenſe the *Iriſh*, as to drive them to ſudden Extremes; Things here on his Majeſty's part being in ſo ill a Condition to enter again upon a War: Unto this Danger the beſt Preventives we could think of, are applied; this incloſed Letter written to my Lord of *Muskerry* by my Lord Lieutenant; apt Perſons employed to *Kilkenny*, to acquaint them with the Reaſons and Neceſſities of this proceeding: And laſtly, The Articles of Peace ſent unto them, with my Lord Lieutenant's Aſſent, in the very Terms propoſed and acquieſced in by themſelves in the laſt Reſults of this long Treaty: Which in all probability will have one of theſe two effects; Either to make them conclude a Peace, notwithſtanding this intervening Accident, whereby *Cheſter* will be ſpeedily relieved, and his Majeſty further ſupplied this Spring: Or make it break ſo foully on their ſide, as to divide from them the moſt conſiderable of their Party. Whatever the Event be, my Lord Lieutenant and I ſhall comfort our ſelves with this Satisfaction, That we have done what belonged to Men of Honour, Faithful to their King and to their Religion, and as wiſely as ours and our beſt Friends Underſtandings could direct us; leaving the reſt to God Almighty, whom we beſeech to direct his Majeſty to that Courſe herein on his part, which may be correſpondent to our faithful Endeavours; and that he will bleſs them with as good Effects upon the Minds of all honeſt Men towards his Majeſty's Vindication in that Kingdom, as I make no doubt but what we have done will have in this, when ſeconded and purſued by thoſe further Directions from his Majeſty, which I am ſure his own Wiſdom and Princely Indgination to find his Honour, Conſcience, and Piety, thus infamouſly traduced, will dictate unto him, without further Advice from

Yours,

Dublin, Jan. 4. 1645. George Digby.

I believe you will be as much ſtartled as I was, to find the Signet mentioned in my Lord of *Glamorgan*'s Tranſactions; but it ſeems that was miſtaken, and that he now pretends to ſome kind of Authority under the King's Pocket-Seal; which I certainly believe to be as falſe as I know the other.

The Earl of *Glamorgan*'s Treaty with the *Iriſh* Catholicks, *Aug.* 25. 1645.

WHereas much time has been ſpent in Meetings and Debates betwixt his Excellency *James* Lord Marqueſs of *Ormond*, Lord Lieutenant and General Governor of his Majeſty's Kingdom of *Ireland*, Commiſſioner to the King's moſt Excellent Majeſty *Charles*, by the Grace of God, King of *Great Britain*, *France*, and *Ireland*, &c. for the Treating and Concluding of a Peace in the ſaid Kingdom with his Majeſty's Humble and Loyal Subjects, the Confederate and *Roman*-Catholicks of the ſaid Kingdom of *Ireland*, of the one part; and the Right Honourable *Donogh* Lord Viſcount *Muskerry*, and others, Commiſſioners deputed and authorized by the ſaid Confederate *Roman*-Catholick Subjects, of the other part: And thereupon many Difficulties did ariſe, by occaſion whereof ſundry matters of great Weight and Conſequence, neceſſarily requiſite to be condeſcended unto by his Majeſty's ſaid Commiſſioner, for the Safety of the ſaid Confederate *Roman*-Catholicks, were not hitherto agreed upon; which retarded, and doth as yet retard the Concluſion of a firm Peace and Settlement in the ſaid Kingdom: And whereas the Right Honourable *Edward* Earl of *Glamorgan* is intruſted and authorized by his moſt Excellent Majeſty to grant and aſſure to the ſaid Confederate Catholick Subjects, further Grace and Favours, which the ſaid Lord Lieutenant did not as yet in that Latitude as they expected, grant unto them: And the ſaid Earl having ſeriouſly conſidered of all Matters, and due Circumſtances of the great Affairs now in Agitation, which is the Peace and Quiet of the ſaid Kingdom, and the Importance thereof in order to his Majeſty's Service, and in relation to a Peace and Settlement in his other Kingdoms; and here, upon the place, having ſeen the ardent deſire of the ſaid Catholicks to aſſiſt his Majeſty againſt all that do or ſhall oppreſs his Royal Right, or Monarchick Government; and having diſcerned the Alacrity and Cheerfulneſs of the ſaid Catholicks to embrace Honourable Conditions of Peace, which may preſerve their Religion and offer juſt Intereſts: In purſuance therefore of his Majeſty's Authority

under

under his Highneſs's Signature Royal and Signet, bearing date at *Oxon* the 12th day of *March*, in the Twentieth Year of his Majeſty's Reign, granted unto the ſaid Earl of *Glamorgan*; the Tenor whereof is as followeth; *viz.*

21 Caroli.

Charles R.

"*Charles*, By the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, *&c.* To our Truſty and Right Well-beloved Couſin *Edward* Earl of *Glamorgan*, Greeting. We repoſing great and eſpecial Truſt and Confidence in your approved Wiſdom and Fidelity; Do by theſe (as firmly as under our Great Seal, to all Intents and Purpoſes) authorize and give you Power to Treat and Conclude with the Confederate *Roman* Catholicks in our Kingdom of *Ireland*, if upon neceſſity any be to be condeſcended unto, wherein our Lieutenant cannot ſo well be ſeen in, as not fit for us at the preſent publickly to own: Therefore we charge you to proceed according to this our Warrant, with all poſſible Secreſy: And for whatſoever you ſhall engage your ſelf, upon ſuch valuable Conſiderations as you in your Judgment ſhall deem fit, we promiſe on the Word of a King and a Chriſtian, to ratify and perform the ſame that ſhall be granted by you, and under your Hand and Seal; the ſaid Confederate Catholicks having by their Supplies teſtified their Zeal to our Service. And this ſhall be in each particular to you a ſufficient Warrant. *Given at our Court at* Oxford, *under our Signet and Royal Signature, the* 12th *day of* March, *in the Twentieth Year of our Reign*, 1644.

To our Right Truſty, and Right Well-beloved Couſin, Eward *Earl of* Glamorgan.

Touching this matter, ſee his Majeſty's Meſſage of the 29th of *January* 164⅞. to the Two Houſes, herein before recited.

It is therefore granted, accorded, and agreed, by and between the ſaid Earl of *Glamorgan*, for and on the behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, on the one part; and the Right Honourable *Richard* Lord Viſcount *Mountgarret*, Lord Preſident of the Supreme Council of the ſaid Confederate Catholicks, the ſaid *Donogh* Lord Viſcount *Muskerry*, *Alexander Mac-Donnel*, and *Nicholas Plunket*, Eſq; Sir *Talbot* Baronet, *Dermot O Brian*, *John Dillon*, *Patrick Darcy*, and *Jeffrey Brown*, Eſq; Commiſſioners in that behalf, appointed by the ſaid Confederate *Roman*-Catholicks, Subjects of *Ireland*, for and in the behalf of the ſaid Confederate *Roman*-Catholick Subjects, of the other part, in manner and form following: (That is to ſay,)

1. *Imprimis*, It is granted, accorded, and agreed by the ſaid Earl, for and in the behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, That all and every of the Profeſſors of the *Roman*-Catholick Religion, in the Kingdom of *Ireland*, of whatever Eſtate, Degree, or Quality ſoever he or they be or ſhall be, ſhall for evermore hereafter have and enjoy within the ſaid Kingdom, the free and publick Uſe and Exerciſe of the ſaid *Roman*-Catholick Religion, and of the reſpective Function therein.

2. *Item*, It is granted, accorded, and agreed by the ſaid Earl, for and on the behalf of his Majeſty, his Heirs and Succeſſors, That the ſaid Profeſſors of the *Roman*-Catholick Religion ſhall hold and enjoy all and every the Churches by them enjoyed within this Kingdom, or by them poſſeſſed at any time ſince the 23d of *October*, 1641. and all other Churches in the ſaid Kingdom, other than ſuch as are now actually enjoyed by his Majeſty's Proteſtant Subjects.

3. *Item*, It is granted, accorded, and agreed by the ſaid Earl, for and on behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, That all and every the *Roman*-Catholick Subjects of *Ireland*, of what Eſtate, Condition, Degree or Quality ſoever, ſhall be free and exempted from the Juriſdiction of the Proteſtant Clergy, and every of them; and that the *Roman*-Catholick Clergy of this Kingdom ſhall not be puniſhed, troubled, or moleſted, for the Exerciſe of their Juriſdiction over their reſpective Catholick Flocks, in matters Spiritual and Eccleſiaſtical.

4. *Item*, It is further granted, accorded, and agreed by the ſaid Earl, for and on the behalf of his Moſt Excellent Majeſty, his Heirs and Succeſſors, That an Act ſhall be paſſed in the next Parliament to be holden in this Kingdom; the Tenor and Purport thereof ſhall be as follows: *(viz.)*

An. 1645.

An Act for the Relief of his Majeſty's Catholick Subjects of his Highneſs's Kingdom of Ireland.

'WHereas by an Act made in Parliament held in *Dublin*, the Second Year 'of the Reign of the late Queen *Elizabeth*, entituled, *An Act reſto-* 'ring to the Crown the Ancient Juriſdiction over the State Eccleſiaſtical and Spiri- 'tual, and aboliſhing all Foreign Power repugnant to the ſame. And by one other 'Statute made in the ſaid laſt mentioned Parliament, entituled, *An Act for the* 'Uniformity of Common-Prayer and Service in the Church, and the Adminiſtration 'of the Sacrament, ſundry Mulcts, Penalties, Reſtraints, and Incapacities, are 'and have been laid upon the Profeſſors of the *Roman*-Catholick Religion in 'this Kingdom, in, for, and concerning the Uſe, Profeſſion, and Exerciſe of 'their Religion, and their Functions therein, to the great prejudice, trouble, 'and diſquiet of the *Roman*-Catholicks in their Liberties and Eſtates, and the 'general diſturbance of the whole Kingdom: For remedy whereof, and for 'the better ſetling, increaſe, and continuance of the Peace, Unity, and Tran- 'quility of this Kingdom of *Ireland*; his Majeſty, at the humble Suit and Re- 'queſt of the Lords and Commons in this preſent Parliament aſſembled, is 'graciouſly pleaſed that it may be enacted, and be it enacted by the King's 'moſt Excellent Majeſty, the Lords Spiritual and Temporal, and Commons in 'this preſent Parliament aſſembled, and by Authority of the ſame, That from 'and after the Firſt Day of this Seſſion of Parliament, it ſhall and may be 'lawful to and for all the Profeſſors of the *Roman*-Catholick Religion, of 'what Degree, Condition, or Quality, to have, uſe, and enjoy the free and 'publick Exerciſe and Profeſſion of the ſaid *Roman*-Catholick Religion, and 'of their ſeveral and reſpective Functions therein, without incurring any 'Mulct or Penalty whatſoever; or being ſubject to any Reſtraint or Incapa- 'city concerning the ſame; any Article or Clauſe, Sentence or Proviſion in 'the ſaid laſt mentioned Acts of Parliament, or in any other Act or Acts of 'Parliament, Ordinances, Law, or Uſage to the contrary, or in any wiſe not- 'withſtanding. And be it alſo further enacted, That neither the ſaid Statutes, 'or any other Statute, Acts, or Ordinance hereafter made in your Majeſty's 'Reign, or in the Reign of any of your Highneſs's moſt Noble Progenitors 'or Anceſtors, and now of force in this Kingdom; nor all, nor any Branch, 'Article, Clauſe and Sentence in them or any of them, contained or ſpecified, 'ſhall be of Force or Validity in this Realm, to extend, to be conſtrued or 'adjudged to extend in any wiſe to inquiet, prejudice, vex, or moleſt the 'Profeſſors of the ſaid *Roman*-Catholick Religion in their Perſons, Lands, 'Hereditaments or Goods, for any thing, matter, or cauſe whatſoever, touch- 'ing and concerning the free and publick uſe, exerciſe, and enjoyings of 'their ſaid Religion, Function, and Profeſſion. And be it alſo further enact- 'ed and declared by the Authority aforeſaid, That your Majeſty's *Roman*- 'Catholick Subjects in the ſaid Realm of *Ireland*, from the firſt day of this Seſ- 'ſion of Parliament, ſhall be, and be taken, deemed, and adjudged capable 'of all Offices of Truſt and Advancement, Places, Degrees, and Dignities and 'Preferment whatſoever, within your ſaid Realm of *Ireland*; any Acts, Sta- 'tutes, Uſage, or Law to the contrary notwithſtanding. And that other Acts 'ſhall be paſſed in the ſaid Parliament, according to the Tenor of ſuch Agree- 'ment or Conceſſions as herein are expreſſed; and that in the mean time the 'ſaid *Roman*-Catholick Subjects and every of them, ſhall enjoy the full bene- 'fit, freedom, and advantage of the ſaid Agreements and Conceſſions, and 'every of them.

5. *Item*, It is accorded, granted, and agreed by the ſaid Earl, for and in the behalf of his Majeſty, his Heirs and Succeſſors, That his Excellency the Lord Marqueſs of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others, authorized or to be authorized by his Majeſty, ſhall not diſturb the Profeſſors of the *Roman*-Catholick Religion in their preſent Poſſeſſion, and the continuance of the Profeſſion of their ſaid Churches Juriſdiction, or any other the matters aforeſaid in theſe Articles agreed and condeſcended unto by the ſaid Earl, until his Majeſty's Pleaſure be ſignified for confirming and publiſhing the Grants and Agreements hereby Articled for, and Condeſcended unto by the ſaid Earl.

6. *Item*,

6. *Item*, And the ſaid Earl of *Glamorgan* doth hereby engage his Majeſty's Royal Word and Publick Faith unto all and ſingular the Profeſſors of the ſaid *Roman*-Catholick Religion within the ſaid Kingdom of *Ireland*, for the due Obſervance and Performance of all and every the Articles, Grants, and Clauſes therein contained, and the Conceſſions herein mentioned to be performed by them.

7. *Item*, It is accorded and agreed, That the ſaid Publick Faith of the Kingdom ſhall be engaged unto the ſaid Earl by the ſaid Commiſſioners of the ſaid Confederate Catholicks, for ſending Ten thouſand Men to ſerve his Majeſty by order and purſuance of the Declaration of the General Aſſembly now ſitting. And that the Supreme Council of the ſaid Confederate Catholicks ſhall engage themſelves to bring the ſaid Number of Men armed, the one half with Muſquets, and the other half with Pikes, unto any Port within this Realm, at the Election of the ſaid Earl, and at ſuch time as he ſhall appoint, to be by him ſhipped and tranſported to ſerve his Majeſty in *England*, *Wales*, or *Scotland*, under the Command of the ſaid Earl of *Glamorgan*, as Lord General of the ſaid Army: Which Army is to be kept together in one entire Body; and all other the Officers and Commanders of the ſaid Army, are to be named by the Supreme Council of the ſaid Confederate Catholicks, or by ſuch others as the General Aſſembly of the ſaid Confederate Catholicks of this Kingdom ſhall intruſt therewith. *In Witneſs whereof, the Parties to theſe Preſents have hereunto interchangeably put their Hands and Seals, the* 25th *day of* Auguſt, 1645.

Sign'd, Seal'd, and Deliver'd in the Preſence of John Somerſet, Jeffrey Baron, Robert Barry. *Glamorgan.*

Copia Vera, collata fideliter cum Originali: Tho. Caſhel, Franc. Patricius, Waterford de Liſmore.

This is a True Copy of the Original Copy found in the Archbiſhop of Tuam's *Carriage; compared by us,* Arthur Anneſley, Robert King.

Articles of Agreement made and concluded upon, by, and between the Right Honourable Edward *Earl of* Glamorgan, *and in purſuance and by virtue of his Majeſty's Authority under his Signet and Royal Signature, bearing date at* Oxford *the* 12th *day of* March, *in the Twentieth Year of his Reign, for and on the behalf of his moſt Excellent Majeſty of the one part, and the Right Honourable* Richard *Lord Viſcount* Mountgarret, *Lord Preſident of the Supreme Council of the Confederate Catholicks of* Ireland, Donnogh *Lord Viſcount* Muskerry, Alex. Mac-Donnel *and* Nicholas Plunket, *Eſquires;* Sir Robert Talbot, *Baronet;* Dermot O Brien, John Diſſon, Patrick Darcy, *and* Jeffrey Brown, *Eſq; for and on the behalf of his Majeſty's* Roman-*Catholick Subjects, and the Catholick Clergy of* Ireland, *of the other part.*

IN primis, The ſaid Earl doth grant, conclude, and agree, on the behalf of his Majeſty, his Heirs and Succeſſors, to and with the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donnogh* Lord Viſcount *Muskerry*, *Alex. Mac-Donnel*, and *Nicholas Plunket*, Eſqs; Sir *Robert Talbot*, Baronet, *Dermot O Brien*, *Patrick Darcy*, and *Jeffrey Brown*, Eſqs; That the *Roman*-Catholick Clergy of the ſaid Kingdom, ſhall and may from henceforth for ever hold and enjoy all and every ſuch Lands, Tenements, Tythes, and Hereditaments whatſoever, by them reſpectively enjoyed within this Kingdom, or by them poſſeſſed at any time ſince the 23d of *October*, 1641. and all other ſuch Lands, Tenements, Tythes and Hereditaments belonging to the Clergy within this Kingdom, other than ſuch as are actually enjoyed by his Majeſty's Proteſtant Clergy.

Item, It is granted, concluded, and agreed on by the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donnogh* Lord Viſcount *Muskerry*, *Alex. Mac-Donnel*, and *Nicholas Plunket*, Sir *Robert Talbot*, *Dermot O Brien*, *John Dillon*, *Patrick Darcy*, and *Jeffrey Brown*, on the behalf of the Confederate *Roman*-Catholicks in *Ireland*, That Two Parts in Three Parts, to be divided, of all the ſaid Lands, Tythes, and Hereditaments whatſoever, mentioned in the precedent Articles, ſhall for Three Years next enſuing the Feaſt of *Eaſter*, which ſhall be in the Year of our Lord God, 1646. be diſpoſed of and converted for and to the uſe of his Majeſty's Forces, employed or to be employed in his Service, and the other Third Part to the uſe of the ſaid Clergy reſpectively: And ſo the like

Diſpo-

An. 1645. Diſpoſition to be renewed from Three Years to Three Years by the ſaid Clergy during the Wars.

Item, It is accorded and agreed by the ſaid Earl of *Glamorgan*, for and in the behalf of his Majeſty, his Heirs, and Succeſſors, That his Excellency the Lord Marqueſs of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others authorized or to be authorized by his Majeſty, ſhall not diſturb the Profeſſors of the *Roman*-Catholick Religion in their preſent Poſſeſſion, and continuance of the Poſſeſſion of their Churches, Lands, Tenements, Tythes, Hereditaments, Juriſdiction, or any other the matters aforeſaid in theſe Articles agreed and condeſcended to by the ſaid Earl, until his Majeſty's Pleaſure be ſignified for confirming and publiſhing the Grants herein Articled for, and Condeſcended unto by the ſaid Earl.

Item, It is accorded, granted, and agreed by the ſaid Earl, for and in the behalf of his Majeſty, his Heirs and Succeſſors, That an Act ſhall be paſſed in the next Parliament to be held in this Kingdom, according to the Tenor of ſuch Agreements or Conceſſions as herein are expreſſed; and that in the mean time the ſaid Clergy ſhall enjoy the full Benefit, Freedom, and Advantage of the ſaid Agreements and Conceſſions, and every of them.

And the ſaid Earl of *Glamorgan* doth hereby engage his Majeſty's Royal Word and Publick Faith, unto the ſaid Lord Viſcount *Mountgarret*, and the reſt of the ſaid Commiſſioners, for the due Obſervation and Performance of all and every the Articles, Agreements, and Conceſſions herein contained and mentioned to be performed to the ſaid *Roman*-Catholick Clergy, and every of them. *In witneſs whereof, the Parties to theſe Preſents have hereunto interchangeably put their Hands and Seals, the* 25th *day of* Auguſt, Anno Dom. 1645.

Glamorgan.

Signed, Sealed, and Delivered in the preſence of John Somerſet, Jeffrey Barron, Robert Barry.

The Earl of Glamorgan's *Letter to his Lady.*

Earl of *Glamorgan*'s Letter to his Lady, *Jan.* 1645.

My Deareſt Heart,

I Hope theſe will prevent any News ſhall come unto you of me, ſince my Commitment to the Caſtle of *Dublin*; to which I aſſure thee I went as chearfully and as willingly as they could wiſh, whoſoever they were by whoſe means it was procured; and ſhould as unwillingly go forth, were the Gates both of the Caſtle and Town open unto me, until I were cleared, as they are willing to make me unſerviceable to the King, and lay me aſide, who have procured for me this Reſtraint. When I conſider thee a Woman, as I think I know you are, I fear leſt you ſhould be apprehenſive; but when I reflect that you are of the Houſe of *Thomond*, and that you were once pleaſed to ſay theſe Words unto me, That *I ſhould never in Tenderneſs of you deſiſt from doing what in Honour I was obliged to do*; I grow confident that in this you will now ſhew your Magnanimity, and by it the greateſt Teſtimony of Affection that you can poſſibly afford me: And am alſo confident that you know me ſo well, that I need not tell you how clear I am, and void of Fear, the only effect of a good Conſcience; and that I am guilty of nothing that may teſtify one Thought of Diſloyalty to his Majeſty, or of what may ſtain the Honour of the Family I come of, or ſet a Brand upon my future Poſterity. Courage, (my Heart!) Were I amongſt the King's Enemies, you might fear; but being only a Priſoner amongſt his Friends and faithful Subjects, you need doubt nothing, but that this Cloud will be ſoon diſſipated by the Sunſhine of the King my Maſter; and did you but know how well and merry I am, you would be as little troubled as my ſelf, who have nothing that can afflict me, but leſt your Apprehenſion might hurt you; eſpecially ſince all the while I could get no Opportunity of ſending, nor yet by any certain probable means, but by my Couſin *Brereton*, Mr. *Mannering*'s, our Couſin, Conſtable of the Caſtle, and my Lord Lieutenant's Leave: And I hope you and I ſhall live to acknowledge our Obligation to them, there being nothing in this World that I deſire more, than you ſhould at leaſt hear from me: And believe it (Sweet Heart) were I before the Parliament in *London*, I could juſtify both the King and my ſelf in what I have done: And ſo I pray acquaint my Father, who I know is ſo cautious, that he would hardly accept a Letter from me; but yet I preſume

preſume moſt humbly to ask his Bleſſing, and as heartily as I ſend mine to Pretty *Mall*: And I hope this day or to-morrow will ſet a Period to my Buſineſs, to the ſhame of thoſe who have been Occaſioners of it. But I muſt needs ſay, from my Lord Lieutenant and the Privy-Council here, I have received as much Juſtice, Nobleneſs, and Favour, as I could poſſibly expect. The Circumſtances of theſe Proceedings are too long to write unto you; but I am confident all will prove to my greater Honour; and my Right Honourable Accuſer, my Lord *Digby*, will be at laſt rectified and confirmed in the good Opinion which he is pleaſed to ſay he ever had of me hitherto; as the greateſt Affliction that he ever had, did do what his Conſcience enforced him to; and indeed did wrap up the bitter Pill of the Impeachment of Suſpicion of High Treaſon in ſo good words, as that I ſwallowed it with the greateſt Eaſe in the World; and it hath hitherto had no other *Operation*, than that it hath purged Melancholy: For as I was not at the preſent any way diſmay'd, ſo have I not ſince been any way at all diſheartned: So I pray let not any of my Friends that's there, believe any thing, until ye have the perfect Relation of it from my ſelf. And this Requeſt I chiefly make unto you, to whom I remain a moſt Faithful and moſt paſſionately Devoted Husband and Servant,

Glamorgan.

21 *Caroli.*

Remember my Service to my Brother, my Couſin *Brown*, and the reſt of my good Friends.

About the time of the ſaid Battel at *Sligo*, *viz.* on the 22*d* of *October*, 1645. arrived in the River of *Kilmare* the Pope's Nuncio *John Baptiſt Rinuccini*, Archbiſhop of *Fermo*, in a Frigat of 21 Guns, and 26 *Italians* of his Retinue, beſides divers Regular and Secular Prieſts, and bringing with him (as was reported) beſides Apoſtolical Benedictions, ſome Arms, Ammunition, and *Spaniſh* Gold. And in Acknowledgment of the Favour of his being ſent to them, the Supreme Council of the Confederate Catholicks in *Ireland* did in *January* following make the following Addreſs to the Pope.

The Pope's *Nuncio* comes into *Ireland*, 22. *Octob.* 1645.

Ad Beatum Patrem noſtrum Innocentium ✠ Papam.

Beatiſſime Pater,

Quod in ipſo limine ſui Pontificatus rebus noſtris conſulere voluerit S. V. & Illuſtriſſimum Virum Archiepiſcopum Fermanum Prælatum Veſtræ Sanctitatis Domeſticum, & aſſiſtentem Sedis Apoſtolicæ Extraordinarium Nuncium ad Nos miſerit, Gratias quas poſſumus humilimè reddimus, Illum ſi non quâ decuit Magni Scientiâ, certè inſuperabili amore, & gaudio recipimus, Illum etiam de Veſtræ Sanctitatis in nos noſtramque Cauſam animi Affectu & Solicitudine diſcurrentem avidè audivimus ſperamuſque nos Apoſtolicâ Benedictione quam nobis Veſtræ Sanctitatis nomine impertivit ſuffultos, & Subſidiis ulterioribus, quæ tanto Bello neceſſaria duxerit Paterna Sanctitatis Cura; tanti etiam & tam prudentis Viri Adhortationibus & Conſiliis, eo Res noſtras promovere poſſe, ut de Stabilitâ in Hiberniam Catholica Religione triumphare poſſet Innocentius Chriſtiſſimus, quam & Veſtræ Sanctitati & Nobis Victoriam à Deo Exerci-

To our Bleſſed Father, Innocent ✠ *the Pope.*

Moſt Bleſſed Father,

THAT your Holineſs at the very Entrance on the Popedom has vouchſaf'd to conſult our Affairs, and to ſend to us that moſt Illuſtrious Perſon the Archbiſhop of *Fermo*, a Prelate Domeſtick to your Holineſs, and Extraordinary Nuncio of the Apoſtolick See, we moſt humbly render all the Thanks that we can poſſible. We receive him, if at leaſt not with that knowledge as becomes us of ſo Great a Man, yet certainly with a Love and Joy that cannot be exceeded: As alſo we have with the higheſt Pleaſure and Satisfaction heard him diſcourſing of the Affection and Solicitude of your Holineſs's Mind towards us and our Cauſe: And we hope, That being ſupported with the Apoſtolick Benediction which in your Holineſs's Name he beſtowed upon us, and thoſe further Aſſiſtances which the Fatherly Care of your Sanctity

The Rebels Supreme Council's Addreſs to the Pope, congratulating the *Nuncio*'s Arrival, 7. *Jan.* 164⅝.

tuum

An. 1645.

tuum humili & confidenti Corde implorant demiſſe Benedictionem obſecrantes,

Veſtræ Sanctitatis ad
Pedum Oſcula,

Per Supremum Conſilium Confederatorum Catholicorum in Regno Hiberniæ, Kilkenniæ, 7. Jan. 164⅝.

will judge neceſſary for ſo great a War, as alſo by the Exhortations and Counſels of ſo Great and Prudent a Perſon, we may be able ſo far to promote our Affairs, that *Innocent* the moſt Chriſtian * may triumph for the Eſtabliſhment of the Catholick Religion over *Ireland*: Which Victory both to your Holineſs and our ſelves, they with an humble and aſſured Heart implore from the God of Armies; who ſubmiſſively begging your Bleſſing, caſt themſelves,

* *This I modeſtly conjecture may be their Meaning; tho the word* Chriſtiſſimus, *which they uſe, ſounds horrible Blaſphemy.*

To Kiſs the Feet of
your Holineſs,

The Supreme Council of the Confederate Catholicks in the Kingdom of Ireland, *at* Kilkenny, 7. Jan. 164⅝.

January 5. The Houſe of Commons of *England* fell into a Debate touching the Government of *Ireland*; and the Queſtion being put, Whether the Government of that Kingdom ſhould be by Commiſſioners, or by a Single Perſon of Honour: Voted, That it ſhould be governed not by Commiſſioners, but by a Perſon of Honour, and every Year a New Governor to be choſen.

The Government of *Ireland* to be in a Single Perſon of Honour.

It was alſo Voted, That all Treaties with the Rebels in *Ireland*, without the Conſent of both Houſes of Parliament, ſhould be annull'd: And that the Proſecution of the War againſt the ſaid Rebels, ſhall be managed by the Two Houſes of Parliament; and that no Governor ſhall be placed there, but by the Conſent of both Houſes of Parliament.

Treaties with the *Iriſh*.

The Commons Vote, That the Lord *Liſle*, a Member of that Houſe, ſhall be Chief Governor of *Ireland*.

Jan. 21. Lord *Liſle* to be Governor of *Ireland*. *March* 6. 164⅝.

The Commons Vote, That the ſaid Lord *Liſle* ſhall have Power to Nominate and give Commiſſions to Officers for the Commanding of Two Regiments of Foot, and one Regiment of Horſe, for the Service of *Ireland*: Alſo, That the Ordinance for raiſing a Weekly Aſſeſment for the Maintenance of the Forces of *Ireland*, ſhould be continued for Six Months longer: And a Letter being read from the Commiſſioners of Parliament in *Ireland*, informing, That Five Troops of Horſe were raiſed by ſome *Scots* Officers in *Ulſter*, without any Command from the Parliament of *England*, and what the Conſequences thereof might be, was left to Conſideration: The Houſe thereupon ordered, That no Forces of Horſe or Foot ſhould be raiſed in the Province of *Ulſter*, or brought in thither, without the Warrant of the Parliament of *England*; nor any be permitted to levy either Forces or Moneys in that Province, without Warrant as aforeſaid.

No Levies of Money or Forces to be raiſed by the *Scots* in *Ireland* without Warrant of the Parliament of *England*. *March* 16.

The Commons Vote, That the Stile of the Lord *Liſle* in his Commiſſion, ſhall be Lord-Lieutenant-General of *Ireland*; and that he ſhall have Power to Command all the Forces raiſed and to be raiſed, in and for the Reducing of that Kingdom to its Obedience.

For

For his Sacred Majeſty.

22 *Caroli.*

The Earl of *Glamorgan's* Letter to his Majeſty, Feb. 23. 1646.

May it pleaſe your Majeſty,

I Am now at *Waterford*, providing Shipping immediately to Tranſport 6000 Foot; and 4000 more are by *May* to follow them: I hope theſe will yet come opportunely to the Relief of *Cheſter*. What hath been the Occaſion of ſo long Delays, and yet ſuffers not your Majeſty's Service herein to proceed with that Advantage it might do, I conceive not ſo fit to commit to Paper; but I ſhortly ſend my Brother, who ſhall fully inform your Majeſty with all Particulars, and thereby rectify your Opinion, and give you true knowledge who are your faithful Servants. I hope long e're this, Captain *Bacon* hath arrived with you ſince my Enlargement; and therefore I need only tell your Majeſty, That my further Services intended for you, will, I hope, without further Croſſes, be ſuffered to go on: Though ſtrange is the Induſtry uſed by many ſeeming Friends to hinder me therein; but I am confident it ſhall not lye in their power, your Majeſty remaining ſtill conſtant, as I doubt not but you will, to your favourable Opinion, and right Interpretation of my poor Endeavours, which if they may take place, will procure you to be a glorious and happy Prince; I having no other Ends, but to approve my ſelf,

SIR,

Waterford, Feb. 23. 1646.

Your Sacred Majeſty's moſt Dutiful Obedient Subject, and Paſſionately-Devoted Servant,

Glamorgan.

CHAP. VIII.

Containing all Tranſactions Military and Civil, from the beginning of the Year 1646. till the King's coming to the Scotch *Army*, May 5. *And ſome Paſſages depending thereupon.*

THE moſt eminent Tranſactions of this Year may conveniently be divided into thoſe that happened before his Majeſty's going to the *Scots* Army; and ſuch as occurred afterwards upon that ſudden and unexpected Turn of Affairs: And accordingly we ſhall deliver them.

The Reader, from the foregoing Collections, will remember, That at the beginning of this Year his Majeſty's Affairs were reduced to a very low Ebb; the Enemy every where Maſters of the Field, and no viſible Force left able to oppoſe them; the Royal Gariſons yet remaining in the *Weſt*, in no poſſibility of holding out long againſt *Fairfax*; and after taking them in, *Oxford* (where his Majeſty at preſent made his Reſidence) could not but expect to be next beleaguer'd, as *Newark* was already actually beſieged by the *Scots*, and Major-General *Poyntz*, and other *Engliſh* Forces.

This Exigency of Affairs, together with his Majeſty's many preſſing Meſſages to come to a free Perſonal Treaty with the Two Houſes, occaſioned Rumours to be ſpread, as if his Majeſty intended to come privately to *London*; whereupon the Two Houſes on the 31*ſt* of *March* paſſed ſeveral Votes to this Effect.

Votes paſs'd *March* 31. 1646. on a Rumour of his Majeſty's intending to come privately to *London*.

1. THAT in caſe the King ſhall, contrary to the Advice of both Houſes of Parliament already given to him, come or attempt to come within the Lines of Communication, That then the Committee of the Militia of *London* ſhall have Power, and are hereby enjoined, upon Advice had with the Committee of Lords and Commons for the Army, to raiſe ſuch Forces as they ſhall think neceſſary to prevent any Tumult that may ariſe by his Majeſty's coming, and to ſuppreſs any that ſhall happen.

2. That in caſe the King ſhall come to any of the Guards about the City, the Officer that commands that Guard, with ſuch Aſſiſtance as may be procured,

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cured, ſhall conduct his Majeſty unto St. *James*'s Houſe, with a Guard to ſecure his Perſon from Danger, and to prevent Reſort unto him.

3. That in ſuch caſe, the Committee for the Militia are forthwith to ſend ſuch other Officers as ſhall be ſufficient there to ſecure his Perſon from Danger, and prevent Reſort unto him, until the Houſes ſhall be acquainted therewith, and take further Order. And until thoſe other Forces ſhall come to St. *James*'s, the firſt Guard is to tarry there.

4. That for ſuch Perſons as ſhall come with the King, the Officer that commands the Guard (with ſuch Aſſiſtance as may be procured) ſhall apprehend and ſecure them in ſuch Priſons and other places as the Committee of the Militia ſhall think fitting, until the Houſes ſhall take further Order.

5. That the Officer that commands the Guards ſhall prevent the Reſort of any Perſon unto the King; and in caſe any ſhall endeavour in a forcible manner to have Acceſs unto him, That the Officers ſhall apprehend and ſecure them until further Order from the Houſe.

6 That if there be any Reſiſtance in any the Caſes aforeſaid, the Officer and Soldiers ſhall by Force of Arms, according to the courſe of War, obſerve theſe Directions in purſuance of the Ordinance of Parliament.

7. That upon this occaſion the Committee of the Militia ſhall ſtrengthen their Guards both within and without the City, and employ ſuch men as for their Fidelity and Ability they can confide in.

The ſame Day they alſo paſs'd the following Order:

An Order for all that have born Arms againſt the Parliament to depart from *London*, &c. *March* 31.

THE Lords and Commons in Parliament aſſembled, taking notice of the great Confluence and Reſort of Papiſts Officers, and Soldiers of Fortune, and ſuch as have born Arms againſt the Parliament of *England*, from the Enemies Gariſons and Quarters, unto the Cities of *London* and *Weſtminſter*, and other parts within the Lines of Communication, Do, for the prevention of ſuch Inconveniences as may thereby ariſe, think fit to order, and it is hereby ordered by the ſaid Lords and Commons, That all Papiſts whatſoever, and all Officers and Soldiers of Fortune, and other perſons that have born Arms againſt the Parliament of *England*, not being under Reſtraint, do before the end of the 6*th* day of *April*, 1646. depart out of the ſaid Cities of *London* and *Weſtminſter*, and Lines of Communication. And if any ſuch perſon ſhall continue within the ſaid Lines after that time, ſuch perſon is hereby declared a *Spy*, and ſhall be apprehended, impriſoned, and proceeded againſt as a *Spy*, according to the Rules of War. And the ſaid Lords and Commons do further order, That all ſuch perſons do forbear, upon the Penalty aforeſaid, to return or come within the ſaid Lines, without Licenſe under the Hands of the Committee appointed for Compoſitions at *Goldſmiths-Hall*. And the Committee of the Militia of *London*, and their Sub Committees in their ſeveral Limits reſpectively, are hereby required to keep ſtrict Guards and Watches, and cauſe frequent Searches to be made, and to take care for the due Execution of this Order. Provided, That this Order, nor any thing therein contained, ſhall extend to any perſon or perſons who ſhall obtain Licenſe under the Hands of the Committee of *Goldſmiths-Hall*, to continue within the Limits aforeſaid. Provided, That this Order, or any thing herein contained, ſhall not extend to any perſon or perſons who came in to the Parliament before the Firſt of *June* laſt, and are cleared by both Houſes of Parliament from their Delinquency. Provided alſo, That no Peer of this Realm ſhall reſort unto the Committee of *Goldſmiths-Hall* for Licenſe to continue within the Limits aforeſaid; but ſhall repair only to the Houſe of Peers for their ſaid Licenſe. This Order to continue for the ſpace of One Month after the ſaid 6*th* of *April*, and no longer.

The *Scots* Army being ſet down before one ſide of *Newark*, and Col. *Poyntz* with conſiderable *Engliſh* Forces on the other; the Committee of both Kingdoms reſiding there with the Armies, ſent in the following Summons:

Summons to the Gariſon at *Newark*, *March* 28.

WE the Committee of both Kingdoms, being ſent and authorized to uſe our beſt Endeavours for the reducing of the Town and Gariſon of *Newark*, do hereby (in the Name of both Houſes of the Parliament of *England*,

land, and for the uſe of the King and Parliament) demand of you, That you forthwith ſurrender the ſame into their hands. It is the pious Care of the Parliament to prevent the Effuſion of Chriſtian Blood, the waſting of the Country, and the deſtruction of Towns. We ſhall eſteem our ſelves happy in being Inſtruments to avert thoſe Miſeries, and ſhall therefore grant to you, the Gentlemen with you, and the Town, Honourable Conditions; which if you ſhall now neglect, and will let nothing but experimental Sufferings declare unto you your unavoidable Ruin, you are to give an Account to God, to this preſent Age, and to Poſterity, for all the Blood that ſhall from henceforth be ſhed, for the waſting of your Native and Neighbouring Country, and deſtruction of ſo conſiderable a Place. You may not, nor can in any reaſon expect (and moſt aſſuredly on the Faith of honeſt men you ſhall not hereafter obtain from us) ſuch Terms as we are now willing to afford you. We ſent no Summons, until you and all with you might ſee we were able by Force to attain what we much rather deſire by Treaty. The Parliament have 16000 Horſe and Foot at preſent before your Town, Soldiers of Experience, united, and in Health and Courage. This is no way mentioned, as if we truſted in the Arm of Fleſh (God the Lord of Hoſts hath manifeſted that we fight his Battels); but to ſhew you the vaſt Expences which will be occaſioned by the Continuance of this Siege (for which your Eſtates muſt anſwer); and that your holding out may not further tempt the Almighty. And though you ſhould not regard your own Ruin, and though ſome others ſhould be of that your Opinion, Shall yet that Wealthy Town be ſack'd, and others periſh with you, that ſee their own miſery, and would avoid it? A prudent man, a Soldier, cannot live or dye in Reputation or Peace of Spirit, to maintain a Place not ſo long tenable as till it can be relieved; of which you cannot have the leaſt Hope: Flatter not your ſelves; Relief is not to be had: *Cheſter* was nearer Succours, and conſiderable Armies for them in the *Weſt* and in *Wales*; now ſcarce ſeen what remains of either. Was not that ſtrong City of great Importance? Were they not very often promiſed? Did not all Aſſurances to be relieved come to them? They had none; That Place is ſurrendred. Your Wealth (if you rightly conſider in what State you are) promoves your ſudden and certain Deſtruction. You are prepar'd in ſome things for Defence; you know (and we know) you are not for ſome other. Conſider theſe things ſeriouſly, and you cannot but through them ſee your Ruin to be inevitable, if you do not avoid it by accepting what is now offer'd. We ſhall expect your Anſwer on *Monday* next by Eleven of the Clock in the Forenoon at *Balderton*.

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Balderton, March 28. 1646.
For the Governor of the Town and Gariſon of Newark; *the Gentlemen there; and the Mayor, Aldermen, and Burgeſſes of that Town.*

Sign'd in the Name, and by the Warrant of the Committee of both Kingdoms, by
Rutland. Lothian.

The Governor's Anſwer.

HAving received a Paper ſubſcribed by the Committee of both Kingdoms, directed as to a Committee-Governor, by putting the Gentlemen and Corporation in equal Commiſſion with me (though the joining us together was with the intention to divide us) I ſhall in Anſwer thereof deſire you to reflect upon the King's Letter of the 23*d* of *March*, ſent to the Two Houſes of Parliament (which I received from your own Quarters) where in a full Compliance with all their deſires, upon the moſt gracious Conditions that ever Prince propounded, he offers to disband his Forces and diſmantle his Gariſons: To what end then do you demand that of the Steward, whereof the Lord and Maſter makes a voluntary Tender? I conceive it my Duty to trace his Commands, not to outſtrip them: So that though Honour and Conſcience would permit the Delivery, yet Civility would retard it, leſt his Majeſty's Act of Grace ſhould be fruſtrated by my over-haſty Speed. I ſhall wave the Arguments wherewith you endeavour to evince my Conſent: I am neither to be ſtruck into Apoſtacy by the mention of fair Conditions in a miſty Notion; nor to be frighted into Diſhonour by your running diviſion upon the Fate of *Cheſter*. For as I do not meaſure my Allegiance by my Intereſt to the former, ſo I do diſdain that Poverty of Spirit, as by reſemblance of *Cheſter*, to ſuffer

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by Example: I can be Loyal without that Copy, and I hope this Garison ſhall never be the Tranſcript of their Calamity. You may do well to uſe your Fortune modeſtly; and think not that God Almighty doth applaud your Cauſe by reaſon of your Victories, or that he hath not a Bleſſing in ſtore for ours. Whereas you urge the Expence of the Siege, and the Preſſures of the Country in ſupporting your Charge there (ſince occaſion'd by your ſelves) I am not concern'd: Yet in order to their Eaſe, if you will grant a Paſs to ſome Gentlemen to go to the King, and return, I may then know his Majeſty's Pleaſure, Whether according to his Letter he will wind up the Buſineſs in general, or leave me to ſteer my own Courſe; then I ſhall know what to determine. Otherwiſe I deſire you to take notice, That when I received my Commiſſion for the Government of this Place, I annexed my Life as a Label to my Truſt.

Newark, March 31. *J. Bellaſyſe.*

To the Committee of both Kingdoms.

Dennington Caſtle ſurrendred to the Parliament, *April* 1.

The ſtrong Caſtle of *Dennington* near *Newbury* having for ſome time been beſieged, was on the firſt of *April* ſurrendred, upon Articles, That Sir *John Boyce* the Governor, with all his Officers, Gentlemen, and Soldiers, ſhould march out with Colours flying, and Drums beating, the Governor with Four Horſes and Arms, and every Field-Officer with Two, and every Captain One: The Lieutenant-Colonel of Horſe with Two Horſes and Arms, and the other Officers and Reformado-Officers of Horſe with One Horſe and Arms apiece; a Hundred of the Foot-Soldiers to march with Arms Two Miles, and then Fifty of them to lay down their Arms; the other Fifty to continue their Arms, and march with Colours flying, Drums beating, light Matches, Bullets in mouth, and Bandaliers filled with Powder; and all to have a Convoy to *Wallingford* Caſtle; but ſuch of the Officers as deſire it, to have Paſſes to go beyond Sea, and thoſe that pleaſe, to their own Homes. There were taken in this Caſtle Six Pieces of Ordnance, about Twenty Barrels of Powder, with Match and other Ammunition proportionable.

An Ordinance for eſtabliſhing a Court-Martial, *April* 3. 1646.

IT is ordained, and be it ordained by the Lords and Commons in this preſent Parliament aſſembled, That Sir *Tho. Fairfax*, Knt. General of the Forces raiſed by the Houſes of Parliament, Serjeant-Major-General *Skippon*, Col. *Rowland Wilſon*, [*and between Thirty and Forty others, therein particularly named, conſiſting for the moſt part of Officers, ſome Civilians, and Two or Three Common Lawyers,*] or any Twelve or more of them, ſhall be Commiſſioners, and are hereby authorized according to the Courſe of War, to execute Martial Law within the Cities of *London* and *Weſtminſter*, and Lines of Communication, upon all Gunners, Matroſſes and Soldiers there in pay; and alſo upon all ſuch perſons as ſhall offend againſt the Articles following, or any of them.

1. That none ſhall voluntarily go from *London* or *Weſtminſter*, or any of the Parliament's Quarters, to the King, Queen, Lords of the Council, or any Commander or Officer of the King's Army, or hold any Intelligence with any in Arms againſt the Parliament, without Conſent of both Houſes, or the Committee of both Kingdoms, or the General or Commander in chief of the ſaid Forces, upon pain of Death, or other Corporal Puniſhment at diſcretion.

2. Whoever ſhall plot, contrive, or endeavour the betraying, ſurrendring, or yielding, or ſhall contrary to the Rules of War ſurrender any City, Town, Magazine, Fort, Gariſon, or Forces, which now are, or hereafter ſhall be under the Power of the Parliament, ſhall be puniſhed with Death.

3. No perſon ſhall voluntarily relieve any in Arms againſt the Parliament, or harbour or receive them, knowing them to have been ſo in Arms, upon pain of Death, or other Corporal Puniſhment at diſcretion.

4. No Officer or Soldier ſhall make any mutinous Aſſemblies, or be aſſiſting thereunto, upon pain of Death.

5. No Guardian or Officer of any Priſon ſhall wilfully ſuffer any Priſoner of War to eſcape, under pain of Death; or negligently, under pain of other Puniſhment at diſcretion.

6. Who-

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6. Whoever ſhall voluntarily take Arms againſt the Parliament, having taken the National Covenant, ſhall dye without Mercy; ſo likewiſe ſhall all Deſerters.

7. Whoever ſhall come out of the King's Quarters, or hath been there in a Month paſt, or born Arms againſt the Parliament, and ſhall come into *London*, *Weſtminſter*, or the Lines of Communication, or any other of the Parliament's Gariſons, without a Paſs from both Houſes, or Sir *Tho. Fairfax*, or without Drum or Trumpet, and not within 48 Hours render himſelf to the Speakers, or the Committee of both Kingdoms, or the Committee at *Goldſmiths-Hall*, or Committee of Examinations, or Commander in Chief of ſuch Gariſon, ſhall be proceeded againſt as a Spy, and dye without Mercy. And whoever ſhall come as a Spy, and by virtue of any former Ordinance or Declaration ſhall be found to be a Spy, ſhall be liable to ſuch Puniſhment as by the Courſe of War is uſual.

And the ſaid Commiſſioners are enabled to ſend out their Warrants for Delinquents and Witneſſes, and to commit ſuch as be refractory; and to ſit as often as they ſhall think fit, and appoint a Judge-Advocate and a Provoſt-Marſhal; which Judge-Advocate is hereby authorized to receive all Accuſations, Articles, Complaints and Charges againſt any ſuch Offenders; to examine them, adminiſter Oaths to Witneſſes, *&c.* And all Mayors, Sheriffs, *&c.* to be aiding and aſſiſting.

Provided, This Ordinance not to extend to Peers, or Members of the Houſe of Commons, but they to be left to the Judgment of both Houſes. Provided alſo, That no Sentence ſhall paſs, but upon the Teſtimony of Two Credible Witneſſes, or the Party's own Confeſſion. And no Execution as to Death ſhall be, until Six Days after Notice given of the ſaid Sentence unto both Houſes. All the Commiſſioners to take the Covenant: And this Ordinance to continue Three Months, and no longer.

The *Scots* ſcruple the joining in the Propoſitions to be ſent to the King.

The Two Houſes having for ſeveral Months been buſy in framing Propoſitions to be ſent to his Majeſty touching Peace, and having now paſſed the ſame; and they being about this time communicated to the Commiſſioners of the Kingdom of *Scotland* reſiding at *London* for their Concurrence; the ſaid Commiſſioners unſatisfied with ſome Articles therein, delivered in ſeveral Papers ſpecifying their Reaſons of Diſſent. Which Papers are too tedious to be here recited at large; being in all Four in Number, under theſe Titles:

The Subſtance of the *Scots* Papers delivered in to the Two Houſes, touching the Propoſitions, *April*, 1646.

1. The Firſt Paper delivered in to the Houſes of Parliament by the Commiſſioners of *Scotland*; containing their Anſwer to the whole Propoſitions of Peace.

2. Their Second Paper; containing Reaſons touching the Militia.

3. Their Third Paper; containing the Citations of ſeveral Paſſages out of the ſeveral Declarations of the Houſes concerning the Militia, and Uniformity in Religion.

4. Their Fourth Paper; containing their Reaſons why the Reſult of the Committee of both Kingdoms at *Edinburgh*, 28. *Nov.* 1643. is a Treaty.

The main Exceptions they took, were to the Propoſitions touching *Religion*, and concerning the ſetling the *Militia*, and touching the future Conduct and ordering of the *Scots Forces* in *Ireland*.

The *Scots* Firſt Paper.

As to the firſt, they Remonſtrate, That as the matter of Religion, by reaſon of the Neceſſity and Incomparable Excellency thereof, deſerveth the firſt place, and before all other matters to be conſidered; ſo it hath been always in all our Undertakings, the prime and chiefeſt of our Intentions and Deſires, and in all our Actions and Sufferings our greateſt Comfort and Encouragement; and which being eſtabliſhed according to the Covenant, we are very confident to give and receive Satisfaction in all other matters; and without which the Church and Kingdom of *Scotland* having been from the Corruption of this Fountain overwhelm'd with a deluge of miſeries, altho they had

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This was the Courſe approved and obſerved at the Treaty at *Uxbridge*; where ſo much as was at that time prepar'd for ſetling Religion, was preſented. If we ſhould without the knowledge of particulars reſt upon the general Propoſition, Peace might be ſetled without the ſetling of Religion, except in ſo far as by the King's Conſent the Power of Reformation is to be in the Houſes, and Uniformity of Religion is placed in the Parliaments of both Kingdoms; which doth not anſwer our Covenant, binding both Kingdoms to the Exerciſe of their Power, by their Endeavours in the Particulars therein ſpecified. Nor will this General give ſatisfaction to any of the Reformed Churches, eſpecially to the Church of *Scotland*; nor will it be able to cure the preſent Diſtempers of Religion in the Church of *England*, which call for a preſnt Reformation; nor ſecure them or us from altering of that which is already ordained; nor be any Recompence of the many Labourrs and Sufferings, and the much Expence of Treaſure and Blood in this Cauſe.

Having peruſed the ſeveral Ordinances, Directions, and Votes of the Honourable Houſes concerning Church-Government delivered unto us, which we conceive will be the matter of the Propoſitions of Religion, and in this ſenſe only we ſpeak to them, we do agree to the direction for the preſent Election of Elders, to the Subordination of Congregational, Claſſical, Provincial, and National Aſſemblies, and to the direction concerning the Members of which they are conſtitute, and the times of their Meeting: Only we deſire, That no Godly Miniſter be excluded from being a Member of the Claſſical Presbytery; nor any Godly Miniſter, having lawful Commiſſion, from being a Member of the Provincial and National Aſſemblies, there being the greater need of their preſence and aſſiſtance in ſuch Aſſemblies, that there are no Ruling Elders to join with and aſſiſt them. And we deſire that a fixed time be appointed for the ordinary meeting of the National Aſſembly, with power to the Parliament to ſummon them when they pleaſe; and with liberty to the Church to meet oftner, if there ſhall be neceſſary cauſe; the ordinary meeting thereof being moſt neceſſary for preſerving Truth and Unity in the whole Church, againſt the Errors that may ariſe and multiply in the Church, and againſt the diviſions and differences that may diſtract the Inferior Aſſemblies of the Church, and for receiving and determining Appeals from Provincial Aſſemblies, which otherwiſe will be infinite, and lye over long without determination, and the Exigence of Religion ſometimes being ſuch, that it will require an extraordinary Meeting.

We agree to the Rules and Direction concerning Suſpenſion from the Sacrament of the Lord's Supper, in caſes of Ignorance and Scandal: Only we deſire that the Congregational Elderſhips may have power to judge in caſes of Scandal not enumerated, with liberty to the perſon grieved to appeal, as in other Reformed Churches. This we conceive to be a Power no more Arbitrary in this Church, than in them who are limited by the Rules expreſſed

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in Scripture, and do exerciſe this their Power with ſuch Moderation, as is a comfort, help, and ſtrengthning of Civil Authority: The appointing of Provincial Commiſſioners, ſuch as are appointed in the Ordinance, will miniſter occaſion to ſuch Debates and Diſputes in this and other Churches, as will be very unpleaſant to Parliaments and Civil Powers, will make a great Diſconformity betwixt this and other Churches, and a preſent Rent and Diviſion in his Church; is ſuch a Mixture in Church-Government as hath not been heard of in any Church before this time; may prove a Foundation of a new Epiſcopacy, or of a High Commiſſion: And the Work may be better done by the Aſſemblies of Miniſters and Ruling-Elders, who have this in their Eccleſiaſtical Charge, and will be no leſs tender of the Honour of Parliament, by whoſe Laws they live and are protected, and as able and willing to give juſt ſatisfaction to the people, whoſe Conſciences and Converſation are beſt known unto them, as any other perſons whatſoever. Concerning the Suſpenſion of the Miniſters themſelves, altho Scandal in them deſerveth double Cenſure, yet we conceive it to be moſt agreeable, that they have their Cenſure from the Claſſical, or other Superior Aſſemblies of the Church, where there be Miniſters to judge them. We do alſo agree to the Ordinance of Ordination of Miniſters; only we deſire it may be provided, That it ſtand in force for all time to come.

There be other matters contained in the Ordinances; as, The manner of Subordination of the Aſſemblies of the Church to the Parliament, ſo much ſubject to miſtake: The ſeeming Exemption of ſome ſorts of perſons from the juſt Cenſures of the Church: The miniſtring the Sacrament to ſome perſons againſt the Conſcience of the Miniſtry and Elderſhip: Concerning publick Repentance to be only before the Elderſhips, and ſuch like; which may be taken into Conſideration, and with ſmall labour and alteration be determined to the great ſatisfaction of many. As for the Remnant, concerning the perpetual Officers of the Church, and their Offices; the Order and Power of Church-Aſſemblies; the Order of publick Repentance, and of proceeding to Excommunication and Abſolution; we deſire they may be agreed upon according to the Covenant, and the Advice of the Divines of both Kingdoms, long ſince offered to both Houſes; which being done, they may be preſently drawn in a method, and formed up in a Model of Church-Government in three days, to the quieting the minds of all the Godly, concerning the particular meaning of both Kingdoms in the matter of Religion, to the great Content of the Reformed Churches, and which will both make us diſtinctly to know what we demand, and the King what he doth grant.

As to the 18th *Propoſition touching the Militia, they ſay,* We deſire that the Militia may be ſo firmly ſetled, as neither the King nor any other be able to diſturb or infringe the Peace now to be agreed upon; and altho it be our Judgment, That the former Propoſitions (*viz.* thoſe of *Uxbridge*) are a more firm Security for conſerving the Peace, and a ſtronger Bond of Unity betwixt the Kingdoms than the *New*, and are therefore deſirous the Houſes would be pleaſed to ſend the former; which being granted by his Majeſty, we think the Militia perfectly ſecured, and that the War ſhould not be continued by inſiſting upon the New Propoſitions; yet leſt our diſagreement herein with the Houſes ſhould be a hindrance to the ſending of Propoſitions, that we may teſtify how deſirous we are, ſo far as in us lies, to give the Houſes Satisfaction, and how much we value the ſpeedy ſetling of the Peace of theſe Kingdoms above our own Intereſt, provided that it be underſtood to be without prejudice to the Right and Intereſt of the Crown, which we underſtand to be conjoined with the reſpective Parliaments in the Militia of both Kingdoms, and not to be abſolutely in the King himſelf; and that the King and his Poſterity be not totally excluded, and rendred incapable to concur with their Parliaments for protecting of their Subjects, and oppoſing the Enemies of the Kingdoms: And provided that it be without prejudice to the ſeveral Treaties between the Kingdoms, we do conſent that the Power, Exerciſe, and managing of the Militia in each Kingdom, be ſetled in the Parliaments of either Kingdom reſpectively, for ſuch a time as ſhall be mutually agreed upon: And after the expiration of that term, That the Militia be ſetled and exerciſed in ſuch manner and by ſuch ways and means as ſhall be agreed upon by his Majeſty and

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The Second Paper. *And for this in their Second Paper they aſſign particular Reaſons: As* 1. That by the Fundamental Laws and conſtant Practice of the moſt Legal and beſt-regulated Kingdoms, and by the Laws and Practice of theſe Kingdoms, declared to the World by the Honourable Houſe, the Power of War and the Militia is placed in the King and Parliament; and ſo acknowledged by all that write upon this Subject for Parliaments: Which is directly contrary to this New Propoſition, by which the whole power of the Militia is ſolely placed in the Houſes of Parliament, and the Crown excluded for ever. 2*dly*, Becauſe in the Petitions, Meſſages, and Declarations ſent to the King, emitted to the Kingdom and to all the World, we have profeſſed, That no more was ſought concerning the Militia, but that it might be intruſted to ſuch perſons as the Parliament ſhould nominate or approve, and might confide in, without diminution of the King's Authority or juſt Power; and profeſſions to preſerve and defend the King's Perſon and Authority; that the World may bear Witneſs with our Conſciences of our Loyalty, and that we have no Thoughts or Intentions to diminiſh his Majeſty's juſt Power and Greatneſs, was uſed as a ſpecial Argument to perſuade *Scotland* to join with *England* in this War; and the ſame is a part of the Third Article of our Covenant: And now to exclude the King and his Poſterity for ever from the Militia, will be underſtood to be an alteration of the Fundamental Government, contrary to the former Reſolutions and Declarations of both Kingdoms, and not agreeable to our Covenant. 3*dly*, Becauſe the ſetling of the Militia according to the New Propoſition, may diſable the Crown from ever performing that Duty which all Kings by their Royal Office and Oath of Coronation are bound to perform, and their Subjects by their Oath of Allegiance bound to aſſiſt, for the protection of their Subjects and the Laws, and oppoſing their Enemies, and keeping Friendſhip and Correſpondence with their Allies. 4*thly*, Becauſe hereby in one Age or another differences may hence ariſe between the Kingdoms, being ſeparated in their Militia; yea, in any one of the Kingdoms, the King's Poſterity reflecting on the Power of their Predeceſſors, may be ſoon incited to endeavour by new Stirs to regain it: Whereas the Power remaining in them, with the Advice of their Parliaments, may preſerve the Kingdoms in Peace, *Quo æquiorem eo firmiorem pacem.* Laſtly, The ſending this Propoſition is like to cut off all hopes of Peace; ſince his Majeſty in ſeveral Declarations hath avowed, That albeit he were vanquiſh'd and made Priſoner, he would quit both his Eſtate and Life, before he would thus uncrown the Crown, and depoſe his Poſterity: And then let any judge if this be the fitteſt way for a ſpeedy and durable Peace: Which with Truth is the Sum of all our deſires.

The *Scots* Third Paper. *Their Third Paper was only a Collection out of ſeveral Declarations of the Two Houſes, of Profeſſions of their Reſolutions for Uniformity of Religion, and ſtating the Militia to be in the King and Parliament conjunctly*, &c.

The *Scots* Fourth Paper. *Their Fourth Paper was to prove*, That the Reſult of the Committee of both Kingdoms at *Edinburgh*, *Nov.* 28. 1643. was a Treaty: And the ground of controverting thereof was, becauſe in the 13*th* Propoſition now offered to them, it is propoſed, That the Two Houſes at *Weſtminſter* ſhall have the Command of all the Forces in *England* and *Ireland*: Whereas by the Reſult aforeſaid, the *Scots* Army in *Ireland* was to be commanded by the Parliament of *Scotland*, and ſuch as they ſhould appoint. To avoid which, the Parliament of *England* now diſown'd That to be a Formal Treaty between the Two Kingdoms, but only a Temporary Conceſſion of the Committee: And the *Scots* inſiſted it was, and had all the neceſſary Formalities and Corroborations of a Treaty.

Beſides

Beſides theſe Exceptions to the Propoſitions drawn by the Two Houſes, the *Scots* Commiſſioners alſo deſired an Addition of Two more, relating to the Advantage of their Nation; *viz.* 1. That in regard of the great Inconveniences which a Kingdom enjoyeth by the Royal Preſence and ordinary Reſidence of their Sovereign with them, and the great Loſs and Prejudice which their Kingdom doth ſuſtain through their Abſence, by their not underſtanding the diſpoſition of their People, or condition of their Affairs, but from the Informations of others; beſides many other Prejudices; we do therefore earneſtly deſire the Conſent of the Honourable Houſes for ſending to his Majeſty a Propoſition, That the King and the Prince, and after them, their Heirs and Succeſſors, ſhall at leaſt One Year of Three reſide in *Scotland*, where they may perſonally diſcharge that Duty they owe to the Subjects of that Kingdom, where Conſcience cannot allow them to be always Non Reſidents, nor the Welfare of the Kingdom diſpenſe with their conſtant Abſence.

2. Upon the like Cauſes and Grounds, we deſire the Honourable Houſes to concur with us in a deſire to his Majeſty, That in all Places of Truſt, and Offices about the King, Queen, and Prince, and reſt of his Royal Children, the equal Half, or at leaſt the Third part, may be of the *Scotiſh* Nation, leſt by time they become Strangers each unto other, which muſt needs produce many Inconveniences. And this we truſt will not be interpreted as the caſting in of any Let or Hindrance to retard the Propoſitions; ſith the Honourable Houſes have given us ſo good hopes of their Conſent, without debate, to ſuch Propoſitions as we conceive to be conducible for the Good and Security of the Kingdom of *Scotland.*

The Two Houſes are incenſ'd at the printing the *Scots* Papers.

Soon after the Delivery of theſe Papers, and before the Two Houſes had return'd any Anſwer, the ſame were publiſhed in Print (ſuppoſed to be done by the Order or Connivance of the *Scots* Commiſſioners) but with a Preface or Epiſtle as from a private Hand, pretending to ſtate the Caſe between the Parliament and the ſaid Commiſſioners. The Houſes being informed of this Publication, did on the 14*th* of *April* concur in a joint Vote, That *the Matter contained in the ſaid Printed Papers was falſe and ſcandalous againſt the Parliament and Kingdom of* England: *That they ſhould be burnt by the Common Hangman; and that a Declaration ſhould be drawn up, which ſhould hold forth to the whole World the Untruths therein contained, and the Innocency and Integrity of the Parliament; And that the Author or Publiſher was an Incendiary between the Two Kingdoms.* And on the 21*ſt* of the ſame Month, the Preface to the ſaid Pamphlet, entituled, *The* Scotch *Commiſſioners Papers, and the ſtating of the Queſtion about the Propoſitions for Peace*, was accordingly burnt by the Common Hangman, but not the *Scotch* Commiſſioners Papers. And in the mean time, on the 17*th* the Two Houſes publiſh'd the following Declaration.

The Preface to the Book of the *Scotch* Papers burnt by the Common Hangman, *April* 21.

Die Veneris 17. April. 1646.

A Declaration of the Commons of England *aſſembled in Parliament, of their true Intentions concerning the Ancient and Fundamental Government of the Kingdom, the Government of the Church, the preſent Peace, ſecuring the People againſt all Arbitrary Government, and maintaining a right underſtanding between the Two Kingdoms of* England *and* Scotland, *according to the Covenant and Treaties.*

A Declaration of both Houſes of their true Intentions to maintain the Fundamental Government, *&c. April* 17

WE the Commons in Parliament aſſembled, well remembring that in the beginning of this War, divers Proteſtations, Declarations, and Suggeſtions, were ſpread abroad by the King, and thoſe that did adhere to him, whereby our ſincere Intentions for the Publick were miſrepreſented, and the minds of many poſſeſſed with a belief, that our Reſolutions and Proceedings were grounded upon needleſs Fears and Jealouſies, and that there was no neceſſary and juſt Cauſe of the preſent War; the Untruth and Deceitfulneſs whereof, by the good hand of God miraculouſly diſcovering the Secrets of our Enemies, diſpoſing and bleſſing our Affairs, Time and Experience have ſince fully manifeſted, to the undeceiving of thoſe that were ſeduced thereby: Which Miſtakes of the People, by this Artifice and Cunning of the Enemy, for ſome time much blemiſhed the Juſtice of this Cauſe, and not only propagated the War, but hazarded the Succeſs thereof: And if the Enemy by theſe

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means had prevailed, how dangerous the Conſequences would have been, is moſt apparent.

And now obſerving that it has pleaſed God ſo to bleſs our Endeavours, and the Actions of our Forces and Armies, as that the Enemy is in deſpair to accompliſh his deſigns by War, and we are brought into good hopes of attaining and enjoying that which with ſo much Expence of Blood and Treaſure we have contended for; there are ſtill the ſame Spirits ſtirring, and Humours working, as in the beginning, tho under other diſguiſes, and upon other grounds, putting falſe Conſtructions as well upon what hath already paſſed the Houſes, as upon the things under preſent debate, and miſrepreſenting our Intentions in the uſe we deſire to make of this great Succeſs which God has given us, and the happy opportunity to ſettle Peace and Truth in the Three Kingdoms; not ceaſing as well in Print as otherwiſe, to beget a belief that we now deſire to exceed or ſwerve from our firſt Aims and Principles in the undertaking this War, and to recede from the Solemn League and Covenant, and Treaties between the Two Kingdoms; and that we would prolong theſe uncomfortable Troubles, and bleeding Diſtractions, in order to alter the Fundamental Conſtitution and Frame of this Kingdom, to leave all Government in the Church looſe and unſetled, and our ſelves to exerciſe the ſame Arbitrary Power over the Perſons and Eſtates of the Subjects, which this preſent Parliament hath thought fit to aboliſh, by taking away the Star-Chamber, High-Commiſſion, and other Arbitrary Courts, and the exorbitant Power of the Council-Table.

All which ſeriouſly conſidered by us, altho our Actions and Proceedings from time to time ſince the beginning of this Parliament, and particularly in the managing of this great Cauſe, are the beſt Demonſtrations of our Sincerity and Faithfulneſs to the Publick; yet foreſeeing that if Credit be given to ſuch dangerous Inſinuations and falſe Surmiſes, the ſame will not only continue the preſent Calamities, and involve us into new and unexpected Embroilments, but likewiſe inevitably endanger the happy Iſſue and Succeſs of our Endeavours, which by God's Bleſſing we may otherwiſe hope for.

We do declare, That our true and real Intentions are, and our Endeavours ſhall be, to ſettle Religion in the Purity thereof, according to the Covenant; to maintain the Ancient and Fundamental Government of this Kingdom; to preſerve the Rights and Liberties of the Subject; to lay hold on the firſt opportunity of procuring a ſafe and well-grounded Peace in the Three Kingdoms; and to keep a good Underſtanding between the Two Kingdoms of *England* and *Scotland*, according to the grounds expreſſed in the Solemn League and Covenant, and Treaties; which we deſire may be inviolably obſerved on both parts.

And leſt theſe Generals ſhould not give a ſufficient Satisfaction, we have thought fit, to the end men may be no longer abuſed into a misbelief of our Intentions, or a miſunderſtanding of our Actions, to make this further Enlargement upon the Particulars.

And firſt, Concerning Church-Government, we having ſo fully declared for a Presbyterial Government, having ſpent ſo much time, taken ſo much pains for the ſetling of it, paſſed moſt of the Particulars brought to us by the Aſſembly of Divines (called only to adviſe of ſuch things as ſhall be required of them by both or either of the Houſes of Parliament) without any material Alteration, ſaving in the point of Commiſſioners: And having publiſhed ſeveral Ordinances for putting the ſame in execution; becauſe we cannot conſent to the granting of an Arbitrary and Unlimited Power and Juriſdiction to near Ten thouſand Judicatories to be erected within this Kingdom; and this demanded in ſuch a way as is not conſiſtent with the Fundamental Laws and Government of the ſame, and by neceſſary conſequence excluding the Power of the Parliament of *England* in the Exerciſe of that Juriſdiction, and whereof we have received no Satisfaction in point of Conſcience or Prudence, which differ not in any Fundamentals of Religion, may be ſo provided for, as may ſtand with the Word of God, and the Peace of the Kingdom.

It muſt therefore ſeem very ſtrange to us, if any ſober and modeſt men ſhould entertain a Thought that we ſhould ſettle no Government in the Church, when our Unwillingneſs to ſubject our ſelves and the People of this Land to this vaſt Power, has been a great Cauſe that the Government hath

not

not been long ſince eſtabliſhed. And we deſire it may be obſerved, That we have had the more reaſon, by no means to part with this Power out of the hands of the Civil Magiſtrate, ſince the Experience of all Ages will manifeſt, That the Reformation and Purity of Religion, and the Preſervation and Protection of the People of God in this Kingdom, hath under God been by the Parliaments, and their Exerciſe of this Power. And our full Reſolutions ſtill are ſincerely, really, and conſtantly, through the Grace of God, to endeavour the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worſhip, Diſcipline and Government, according to the Word of God, and the Examples of the beſt-Reformed Churches, and according to our Covenant. 22 *Caroli.*

Whence it may appear to all men, That thoſe Rumors and Aſperſions whereby the minds of men are ſo diſturbed for want of the preſent ſetling of Church-Government, are to be applied to thoſe who having a ſufficient Power and Direction from the Houſes on that behalf, have not as yet put the ſame in execution.

And whereas a ſafe and good Peace is the right end of a juſt War, there is nothing we have more earneſtly deſired, nor more earneſtly laboured after; and to that purpoſe both Houſes of Parliament have framed ſeveral Propoſitions to be ſent to the King, ſuch as they hold neceſſary for the preſent and future Safety and Good of this Kingdom; ſome of which are tranſmitted from both Houſes to our Brethren of *Scotland*, where they now remain: Whoſe Conſent that they may be ſpeedily ſent to the King, we ſhall not doubt to obtain, ſince the Parliament of *England* is and ought to be ſole and proper Judge of what may be for the Good of this Kingdom; the ſame Liberty having been always by us admitted to the Kingdom of *Scotland* in all things that concern that Kingdom; wherein we are ſo far from altering the Fundamental Conſtitution and Government of this Kingdom by King, Lords, and Commons, that we have only deſired, that with the Conſent of the King, ſuch Powers may be ſetled in the Two Houſes, without which we can have no aſſurance but that the like or greater Miſchiefs than theſe which God hath hitherto delivered us from, may break out again, and engage us in a ſecond and more deſtructive War.

Whereby it plainly appears our Intentions are not to change the Ancient Frame of Government within this Kingdom, but to obtain the end of the Primitive Inſtitution of all Government, The Safety and Weal of the People; not judging it wiſe or ſafe, after ſo bitter Experiences of the bloody Conſequences of a pretended Power of the Militia in the King, to leave any colourable Authority in the ſame, for future Attempts of introducing an Arbitrary Government over this Nation, and protecting Delinquents, Enemies of our Religion and Liberties by Force from the Juſtice of Parliament; the firſt and chiefeſt Grounds of the Parliament's taking up Arms in this Cauſe.

And altho the Neceſſity of War hath given ſome diſturbance to Legal Proceedings, ſtopped the uſual Courſe of Juſtice, enforced the Parliament for the preſervation of this State, to impoſe and require many great and unuſual Payments from the good Subjects of this Kingdom, and to take extraordinary ways for procuring of Moneys for their many preſſing Occaſions; it having pleaſed God to reduce our Affairs into a more hopeful Condition than heretofore: We do declare, that we will not, nor any by colour of any Authority derived from us, ſhall interrupt the ordinary Courſe of Juſtice in the ſeveral Courts and Judicatories of this Kingdom, nor intermeddle in caſes of private Intereſt otherwhere determinable, unleſs it be in caſes of Male-Adminiſtration of Juſtice, wherein we ſhall ſee and provide that Right be done, and Puniſhment inflicted as there ſhall be occaſion, according to the Laws of the Kingdom, and the Truſt repoſed in us. And as both Houſes have already for the eaſe and benefit of the People, taken away the Court of Wards and Liveries, with all Tenures *in Capite*, and by Knight-Service, ſo we will take ſpecial Care that as ſpeedy and as great eaſe may be had in future Levies of Money, by reducing of Gariſons, and other ways, as the preſſing Occaſions of the Kingdom can poſſibly admit; and will provide, by bringing Delinquents to due Puniſhment (who have unnaturally fomented and maintained this preſent War againſt the Parliament and Kingdom) that there may be a fair poſſibility of ſatisfying the Diſburſements, clearing the Engagements, and repairing the

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Losses of those who have faithfully and chearfully laid out themselves, and suffered for the Publick Service, unless by too great Credulity given to false Suggestions, we shall be disabled from effecting what we desire.

Lastly, Whereas both Nations have entred into a Solemn League and Covenant, and Treaties have been made and concluded between the Two Kingdoms of *England* and *Scotland*, we have had an especial regard of the Treaties, and have not (to our best Judgments) failed of the performance of any thing which was on our part to be performed. And for the Covenant, we have been and ever shall be very careful duly to observe the same; that as nothing hath been done, so nothing shall be done by us, repugnant to the true meaning and intention thereof; and do presume no interpretation of it (so far as it shall concern the Kingdom of *England*) shall by any be endeavoured to be imposed on us, other than we our selves do know to be suitable to the first just Ends for which it was agreed: And we do expect, that the People of *England* should not receive impressions of any forced Constructions of that Covenant; which in case of any doubt arising, is only to be expounded by them by whose Authority it was established in this Kingdom, who will not depart from those Grounds and Principles upon which it was framed and founded.

The Commons order 10000 *l.* present, and 10000 *l. per Ann.* to be paid for the Support of the Queen of *Bohemia*, *Apr.* 20.

A Report being made to the House of Commons, concerning the Stipend to be allowed from the Kingdom of *England* to her Majesty the Queen of *Bohemia* (a Daughter of this Crown) and finding some Inconveniences in the manner of raising the same out of several Delinquents Estates, as was formerly proposed, it was therefore ordered, That the Committee of *Goldsmiths-Hall* should advance the Sum of Ten thousand Pounds for the present Support of that Queen; and likewise for her future Accommodation, That the Sum of 10000 *l. per Ann.* should be advanced and paid by the Committee of the Revenue, to her said Majesty, or such as she should appoint to receive the same.

Woodstock surrendred, *April* 26.

Col. *Rainsborough* and Col. *Fleetwood* had for some time streightned *Woodstock*, whereupon the Garison desired a Parley, and a safe Conduct for Commissioners to come from *Oxford* to Treat with an equal Number of the Besiegers: Which being granted, there came from *Oxford* the Earl of *Southampton*, Earl of *Lindsey*, Sir *William Fleetwood*, and Col. *Ashburnham*; who were met by Col *Rainsborough*, Col. *Fleetwood*, Major *Harris*, and Major *Desborough*; and after some Treaty, came to an Agreement, That the said Garison, with the Arms and Ammunition, should be surrendred to the use of the Parliament; the Field-Officers to march away with their Swords, the other Officers and Soldiers without Arms, and to have a Convoy to *Oxford*.

800 *l. per An.* to be allowed to the Bishop of *Durham*, *April* 27.

The Commons having pass'd a Vote for the Allowance of 800 *l. per Ann.* to the Bishop of *Durham*, sent the same up to the House of Peers for their Concurrence; who consented thereunto.

Hiarchal surrendred.

The Committee of *Shropshire* were at this time active, towards the end of *March*, 1646. Some Forces sent forth by them, brought the Garison of *Hiarchal* to surrender, with all the Arms and Ammunition: The Officers and Gentlemen, being in number about Forty, had Conditions to march out with Horse and Arms, with a Convoy to *Worcester*. From thence the Parliament's *Shropshire* Forces marched to *Bridgnorth*, and summoned the Town and Castle: Col. *Billingsley*, who commanded in Chief in the Town, would return no Answer; but Col. *Howard*, Governor of the Castle, gave a fair Denial: Hereupon the Besiegers prepared to storm, wherein they succeeded so far, that they made themselves Masters of the Town, but the Castle held out near a Month longer, and at last surrendred upon Conditions to march away without Arms; and Col. *Lloyd* was appointed Governor there.

Bridgnorth taken by the Parliament's Forces.

Questions put by the Commons to the Assembly of Divines, about the *Jus Divinum* of Presbytery, *April* 30. 1646.

Questions propounded to the Assembly of Divines by the House of Commons, touching the Point of Jus Divinum *in the matter of Church-Government.*

WHereas it is Resolved by both Houses, That all Persons guilty of notorious and scandalous Offences, shall be suspended from the Sacrament of the Lord's Supper; the House of Commons desires to be satisfied by the Assembly of Divines in the Questions following:

1. Whether the Parochial and Congregational Elderships, appointed by Ordi-

22 *Caroli.*

Ordinance of Parliament, or any other Congregational or Presbyterial Elderſhips, are *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt? And whether any particular Church-Government be *Jure Divino*? And what that Government is?

2. Whether all the Members of the ſaid Elderſhips, as Members thereof, or which of them, are *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt?

3. Whether the Superior Aſſemblies or Elderſhips, *viz.* the Claſſical, Provincial, and National, whether all, or any of them, and which of them are *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt?

4. Whether Appeals from Congregational Elderſhips to the Claſſical, Provincial, and National Aſſemblies, or any of them, and to which of them, are *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt? And are their Powers upon ſuch Appeals *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt?

5. Whether Oecumenical Aſſemblies are *Jure Divino*? And whether there be Appeals from any of the former Aſſemblies to the ſaid Oecumenical, *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt?

6. Whether by the Word of God the power of judging and declaring what are ſuch notorious and ſcandalous Offences, for which perſons guilty thereof are to be kept from the Sacrament of the Lord's Supper, and of conventing before them, trying, and actual ſuſpending from the Sacrament of the Lord's Supper ſuch Offenders accordingly, is either in the Congregational Elderſhip or Presbytery, or in any other Elderſhip, Congregation, or Perſons; and whether ſuch Powers are in them only, or any of them, and in which of them, *Jure Divino*, and by the Will and Appointment of Jeſus Chriſt?

7. Whether there be any certain and particular Rules expreſſed in the Word of God, to direct the Elderſhips, or Presbyteries, Congregations or Perſons, or any of them, in the Exerciſe and Execution of the Powers aforeſaid; and what are thoſe Rules?

8. Is there any thing contained in the Word of God, That the Supreme Magiſtracy in a Chriſtian State may not judge and determine what are the aforeſaid notorious and ſcandalous Offences, and the manner of Suſpenſion for the ſame; and in what particulars concerning the Premiſſes is the ſaid Supreme Magiſtracy by the Word of God excluded?

9. Whether the proviſion of Commiſſioners to judge of Scandals not enumerated (as they are authorized by the Ordinance of Parliament) be contrary to that way of Government which Chriſt hath appointed in his Church; and wherein are they ſo contrary?

In Anſwer to theſe Particulars the Houſe of Commons deſires of the Aſſembly of Divines, their Proofs from Scripture, and to ſet down the ſeveral Texts of Scripture in the expreſs Words of the ſame: And it is ordered, That every particular Miniſter of the Aſſembly of Divines, that is or ſhall be preſent at the Debate of any of theſe Queſtions, do upon every Reſolution which ſhall be preſented to this Houſe concerning the ſame, ſubſcribe his reſpective Name, either with the Affirmative or Negative, as he gives his Vote: And that thoſe that do diſſent from the Major part, ſhall ſet down their poſitive Opinions, with the expreſs Texts of Scripture upon which their Opinions are grounded.

Fairfax marches back out of *Cornwal*, until his coming before *Oxford*.

His Majeſty's Forces in *Cornwal*, under the Lord *Hopton*, being, purſuant to the Treaty, wholly disbanded by the End of the Year 1645, Sir *Thomas Fairfax* the Parliament's General, with his Army, prepared to march back; and on the 31*ſt* of *March*, 1646, drew up before *Exeter*, and ſent in the following Summons.

Fairfax's Summons to the City of *Exeter*, *March* 31. 1646.

Sir,

BEing return'd with my Army from the *Weſt*, where God in his Wiſdom ſaw it good to beſtow a dry and bloodleſs Victory upon me, to the great Quiet and Peace of thoſe Parts; and conceiving it my Duty likewiſe to endeavour the Good of this Country, which by the occaſion of your Gariſon is neceſſarily obſtructed; I thought fit once more to ſend you a Summons to deliver

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deliver up to me the City of *Exeter*, with the Caſtle, Forts, Arms, Ammunition, and Magazine belonging to the ſame; believing that by this time you are ſatisfied of no Relief from the Prince's Army, and may equally be of all Relief to come from any other place, if your Intelligence and Knowledge were the ſame with ours. There is nothing more induceth me hereunto, than an unfeigned Zeal againſt any Bloodſhed, and as much as in me lies to preſerve that City, which hath already ſuffered deeply in theſe unnatural Diſtractions, from further or greater Miſery. Tho I ſhall not boaſt of my Numbers or Strength, yet I muſt tell you, that I doubt not but the ſame Power which hath formerly made difficult things eaſy, will anſwer this, and will acquit me from being accounted the Occaſion of thoſe Inconveniences and Miſeries which neceſſarily will enſue upon your Refuſal. I ſhall expect your ſpeedy and poſitive Anſwer herein, and reſt, *Your Servant*,

March 31. 1646. Tho. Fairfax.

Whereunto on *Wedneſday, April* 1. Sir *John Berkley* returned this Anſwer to the Summons.

The Governor's Anſwer.

SIR,

UPon your Summons I called a Council of War, where after ſome Debate it was determined to treat with you, or with whom you ſhould appoint; and to conclude upon juſt and honourable Terms: And to that purpoſe I deſire a ſafe Conduct for theſe Perſons to repair to your Head-Quarters with their Servants, on *Friday* Morning, and to return at their pleaſure. I remain,

April 1. 1646. *Your Servant*, Jo. Berkley.

Thoſe firſt named by Sir *John Berkley* were,

Sir *Henry Berkley*,	Capt. *Fitzgerard*,
Mr. *William Aſhburnham*,	Mr. *Robert Walker*,
Sir *George Cary*,	Mr. *Thomas Knight*,
Mr. *John Wear*,	Mr. *Thomas Kendal*,
Col. *Godolphin*,	Mr. *Thomas Foard*.

Whereupon, *Thurſday April* 2. Sir *Thomas Fairfax* returned this Anſwer.

Fairfax's Second Letter, *April* 1.

SIR,

I Have received yours, whereby I underſtand that in purſuance of my Demand in my Summons, you have determined to treat with me by Commiſſioners; and in order to that have ſent a Liſt of Ten Gentlemen, which you deſire for Commiſſioners on your behalf; of which there is none in particular that I take Exceptions unto; yet becauſe I deſire to carry on the buſineſs with Clearneſs and Expedition, which by ſo great a Number cannot be ſo well effected, I thought fit to propound unto you the Number of Six, that being as many as conveniently can be uſed in a Buſineſs of this Nature. Upon Conſent hereto, and Anſwer, I ſhall, according to your deſire, ſend you a ſafe Conduct for a proportionable Number of Commiſſioners; and in the mean time ſhall reſt, *Your Servant*,

April 1. 1646. Tho. Fairfax.

I agree the Time to begin on *Friday* next, according to your deſire; the Place *Poltimore*-Houſe. I have ſent a Liſt of the Commiſſioners on my part.

Lieutenant-General *Hamond*,	Col. *Harley*,
Col. Sir *Hardreſs Waller*,	Col. *Fry*,
Col. *Lambert*,	Commiſſary *Stane*.

Thurſday, April 2. Commiſſioners were appointed, and a ſafe Conduct granted. *Friday* 3. the Treaty began at *Poltimore*, Sir *John Bamfield*'s Houſe. *Saturday, Sunday, Monday, Tueſday*, and *Wedneſday*, the Treaty continued, ſitting cloſe at it every day, and the moſt part of the Night, till they had concluded it. And ſo on *Thurſday, April* 9. the Articles were mutually ſigned, as followeth:

Articles

22 Circl. Articles of the Surrender of *Exeter*, *April* 9. 1646.

Articles of Agreement concluded on by Thomas Hamond, *Lieutenant-General of the Ordnance, Col. Sir* Hardreſs Waller, *Col.* Edward Harley, *Col.* Lambert, *Commiſſary-General* Stane, *and Major* Watſon, *Scoutmaſter-General, Commiſſioners on the behalf of the Right Honourable his Excellency Sir* Thomas Fairfax, *General of the Parliament's Forces, on the one Party: And Sir* Henry Berkley, *Sir* George Cary, *Col.* Aſhburnham, *Col.* Godolphin, *Capt.* Fitzgerard, *Mr.* John Weare, *Mr.* Robert Walker, *and Mr.* Thomas Knight, *Commiſſioners on the behalf of Sir* John Berkley, *Knight, Governor of the City of* Exeter, *on the other Party: Touching and concerning the Rendition of the ſaid City and Gariſon; as followeth:*

I. THat the City and Gariſon of *Exeter*, together with the Caſtle, and all Forts and Mounts, Places of Defence, of or belonging to the ſame, with all Ordnance, Arms, and Ammunition, Proviſions, and Furniture of War belonging to the Gariſon (excepting what ſhall be excepted in the enſuing Articles) ſhall be delivered unto Sir *Thomas Fairfax*, General of the Parliament's Forces, or to any whom he ſhall appoint to receive them, for the uſe of the Parliament, on *Monday* next after the date hereof, being the Thirteenth of this Inſtant *April*, by Twelve of the Clock at Noon.

II. That if any Officer, Soldier, or any perſon included in theſe Articles, wrong or plunder in Perſon or Goods (in their March away, or before) any Citizen or Countryman, or any perſon whatſoever, ſhall, as far as he is able, give ſatisfaction to the Perſons ſo injured, at the Judgment of his Excellency Sir *Thomas Fairfax*.

III. That if any Officer, Soldier, or any perſon (included in theſe Articles) ſhall after the date hereof wilfully break, deface, ſpoil, or imbezle any Arms, or other Proviſions of War whatſoever, by the precedent Articles to be ſurrendred as aforeſaid, ſhall loſe the benefit of the enſuing Articles.

IV. That the Princeſs *Henrietta* and her Governeſs, with her Houſhold, ſhall have full liberty to paſs with their Plate, Money, and Goods, within Twenty days after the Concluſion of this Treaty (when ſhe ſhall deſire) to any place within the Continent of *England*, or Dominion of *Wales*, at the Election of the Governeſs, and there to remain until his Majeſty's Pleaſure be further known touching her ſetling; and that the Governeſs ſhall have liberty to ſend to the King, to know his pleaſure herein, accordingly to diſpoſe of her Highneſs, within the aforeſaid Limitation of Places: And that fit and convenient Carriages be provided for their Paſſage, at reaſonable Rates.

V. That the Cathedral Church, nor any other Church within the City ſhall be defaced, or any thing belonging thereunto, ſpoiled or taken away, by any Soldier or perſon of either ſide whatſoever.

VI. That the Governor, together with all Lords, Clergymen, Gentlemen, Captains, Officers, Troopers, and Common Soldiers, ſhall march out of the City on *Monday* next, the 13*th* of *April*, by Twelve of the Clock at Noon, with their Horſes, full Arms, Bag and Baggage, and their Goods, Colours flying, Drums beating, Matches lighted, Bullets, full Bandaliers, with ſufficient Convoys unto *Oxford*, or unto *Helſton* in *Cornwal*, at their ſeveral Elections: And in caſe the Governor of *Oxford* ſhall refuſe to receive the Common Soldiers that ſhall march thither, they are there to deliver up their Arms to the Convoy, and have Paſſes to repair to their ſeveral Homes. And thoſe that march unto *Helſton* are there to be disbanded, and to have Paſſes to their ſeveral Homes. That all Troopers and Common Soldiers which march not as aforeſaid, ſhall deliver up their Arms, except their Swords, and have liberty to go to their own Homes with Bag and Baggage, and ſhall not be compelled to take up Arms againſt the King. Provided alſo, That all Officers and Gentlemen that ſhall chuſe to go to *Oxford*, and not take up Arms, ſhall repair into the Parliament's Quarters within Forty Days after the Date hereof, and ſhall enjoy the Benefit of theſe Articles.

VII. That all thoſe which ſhall march to the Gariſons aforeſaid, ſhall have Free Quarters in their March, and not be obliged to march above Ten Miles a day; and that ſuch other Soldiers as are Inhabitants in the City, ſhall receive free liberty to march out, or remain therein, without being compelled to take up Arms againſt the King. And if any Soldiers fall ſick upon their March, that convenient Carriages and Accommodations ſhall be provided for them.

VIII. That

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VIII. That all Lords, Gentlemen, Clergymen, Chaplains and Officers, that ſhall chuſe to go beyond the Seas, ſhall march away with their full Arms for their own uſe: And that all Common Soldiers ſhall march away with their full Arms, with a ſufficient Convoy, unto the Port which they ſhall chuſe for their Tranſportation; which Arms they ſhall there lay down, and deliver unto the Governor of the next Gariſon belonging to the Parliament; the ſaid Governor providing for their Safety during the time of their Abode there; where they ſhall be aſſiſted for the procuring Veſſels and Shipping for their Tranſportation at the accuſtomed Rates, and ſhall have free Quarter for One and twenty days allowed to provide for their Paſſage. After which time ſhall be expired, the ſame Officers and Soldiers, paying for their Quarters, ſhall have liberty to ſtay until Shipping be provided, and Weather ſeaſonable; and that during their ſtay, or before, it ſhall be permitted that any Two of them may go to *London*, to treat with any Foreign Ambaſſador or Agent, for a Commiſſion to be entertained beyond the Seas.

IX. That neither the Officers, Soldiers, nor any perſon whatſoever, in their going out of the City ſhall be reproached, or have any diſgraceful Speeches or Affront offered to them, or any of their perſons wronged, rifled, ſearched, or their Goods ſeized or taken away from them by any perſon whatſoever.

X. That the Governor, Lords, Gentlemen, Clergymen, Chaplains, Commanders, Officers and Soldiers, comprized in theſe Articles, ſhall be allowed and aſſiſted in providing of ſufficient Carriages at reaſonable Rates, to carry away their Bag, Baggage and Goods; and that care be taken by the future Governor of the ſaid City, for the curing of ſuch Sick or Wounded Officers and Soldiers as ſhall be left in the City; and that upon Recovery they ſhall have Paſſes to repair to their own Houſes reſpectively.

XI. That the Parliament-Forces come not into the City, until the King's Forces be marched out; except One hundred and fifty Foot, and one Troop of Horſe, with their Officers.

XII. That no Lords, Knights, Gentlemen, Clergymen, Chaplains, (excepting thoſe who are by Name excepted by Parliament from Pardon and Compoſition) Officers, Citizens, and Soldiers, and all other perſons comprized within theſe Articles, ſhall be queſtioned or accountable for any Act paſt by them done (or by any other by their procurement) relating unto the unhappy Differences betwixt his Majeſty and Parliament; they ſubmitting themſelves to reaſonable and moderate Compoſition for their Eſtates; which the General, Sir *Thomas Fairfax*, ſhall really endeavour with the Parliament, that it ſhall not exceed Two Years value of any man's Real Eſtate reſpectively; and for Perſonal, according to the ordinary Rule, not exceeding the Proportion aforeſaid: Which Compoſition being made, they ſhall have Indemnity for their Perſons, and enjoy their Eſtates and all other Immunities, without Payment of any Fifth, or Twentieth part, or any other Taxes or Impoſitions, except what ſhall be hereafter charged upon them in common with other Subjects of this Kingdom, by Authority of Parliament.

XIII. That all Lords, Knights, Gentlemen, Clergy and Chaplains (excepted in the precedent Articles) ſhall have liberty to go unto any of the King's Gariſons, and to have a ſafe Conduct for themſelves and Servants, to go unto the Parliament to obtain their Compoſition for their Eſtates, and Indemnity for their perſons; which (tho it prove ineffectual) yet nevertheleſs they ſhall have Four Months time next after the date of theſe Articles, to endeavour their Peace, or to go beyond the Seas, and ſhall have Paſſes for that purpoſe.

XIV. That all Horſes, Arms, Money, and other Goods whatſoever, taken as lawful Prizes of War, before or during the Siege, now in the City, be continued in the Poſſeſſion of the preſent Poſſeſſors.

XV. That all Officers, Gentlemen, Citizens, Inhabitants, Clergymen, Chaplains, Soldiers, and all other perſons within the City, during the time of their making their Compoſition, ſhall have free liberty either to inhabit within the ſame City, or ſhall have free liberty at any time to depart with their Families, Goods and Eſtates, unto any part of this Kingdom in the Parliament's Quarters; and before Compoſition made, the Merchants and Tradeſmen to enjoy their Merchandizing and Trades; and after Compoſition made,

made, all others (not prohibited by Ordinances of Parliament) to enjoy and exerciſe their Profeſſions, or go beyond the Seas: And they and every of them ſhall have power to diſpoſe and ſell to their own uſes, either by themſelves or others, whatſoever part of their Goods or Eſtates they ſhall not carry or convey away with them. And all Inhabitants which did inhabit within the City within Seven Months paſt, having made their Compoſitions as aforeſaid, ſhall enjoy the Benefit of this, and the Twelfth, and the Two and twentieth Articles

22 Caroli.

XVI. That all Charters, Cuſtoms, Privileges, Franchiſes, Liberties, Lands, Eſtates, Goods and Debts of the Mayor, Aldermen, Bayliff, Commonalty, as a Corporation, and all other Corporations of the ſaid City, ſhall be enjoyed by them; and that the Ancient Government thereof remain as formerly.

XVII. That if any Perſons or Inhabitants which are compriſed within theſe Articles, ſhall break any of them, that ſuch Breach ſhall only touch and concern ſuch perſons, and they to make ſuch Satisfaction for the ſame as the Cauſe doth require.

XVIII. That all perſons comprized within theſe Articles, ſhall have a Certificate under the Hand of his Excellency Sir *Tho. Fairfax*, or the future Governor of the City, That ſuch perſons were in the City at that time of the Surrender thereof, and are to have the benefit of theſe Articles.

XIX. That his Excellency Sir *Thomas Fairfax* give aſſurance, that Officers and Soldiers in the Parliament's Army, and all others under his Command, ſhall duly and exactly obſerve all Articles aforeſaid. And that if they, or any of them ſhall directly or indirectly violate or infringe the ſame, upon Complaint thereof, Juſtice may be done, and Reparation made.

XX. That the Inhabitants of the City ſhall be eaſed and freed from all free Quarter, or Billet of Soldiers, except in caſes of urgent neceſſity, other than for Lodging; and that to be ordered and diſpoſed by the Advice of the Mayor or his Deputy.

XXI. That no Oath, Covenant, Proteſtation, or Subſcription (relating thereunto) ſhall be impoſed upon any perſon whatſoever, comprized within theſe Articles, but only ſuch as ſhall bind all perſons aforeſaid, not to bear Arms againſt the Parliament of *England*, now ſitting at *Weſtminſter*, nor wilfully do any Act prejudicial unto their Affairs, whilſt they remain in their Quarters; except the perſons aforeſaid ſhall firſt render themſelves unto the Parliament, who ſhall cauſe them to be ſecured, if they think fit

XXII. That for the further and clearer underſtanding of the preſent Articles, it is hereby declared, that the true meaning of them is, That all perſons comprized within theſe Articles, ſhall quietly and peaceably enjoy all their Goods, Debts, and Moveables during the ſpace of Four Months next enſuing, and be free from all Oaths, Covenants, and Proteſtations, and have liberty within the time of the ſaid Four Months, in caſe they ſhall not make their Compoſition with the Parliament (and ſhall be reſolv'd to go beyond Seas) to diſpoſe of their ſaid Goods, Debts, and Moveables, allowed by the Articles, and to depart the Kingdom, if they ſhall think fit, and to have Paſſes for that purpoſe, or otherwiſe to ſtay in the Kingdom.

XXIII. That Mount *Radford*, and the Ward in St. *Thomas*'s Pariſh, with the Proviſions of War thereunto belonging, be delivered unto his Excellency Sir *Tho. Fairfax*, or whom he ſhall appoint to receive them, in aſſurance of the performance of the precedent Articles, to-morrow by Six of the Clock in the Afternoon, being the *7th* of *April*: And that Four ſuch Gentlemen or Officers as his Excellency ſhall approve of, ſhall be delivered at the ſame time, as Hoſtages for the Performance of the foregoing Articles on the one part, and Two Hoſtages, ſuch as Sir *John Berkley*, Knt. Governor of the City of *Exeter*, ſhall approve of, and appoint to be received, for Performance on the other part.

XXIV. Laſtly, That theſe Articles be ratified and confirmed mutually by his Excellency Sir *Thomas Fairfax* on the one part, and Sir *John Berkley*, Knt. Governor of the City, on the other part.

I do hereby ratify and confirm the Articles aboveſaid, agreed on by the Commiſſioners on my part.

April 9. 1646. Tho. Fairfax.

An. 1646.

Whilſt this Treaty was in hand, *Fairfax* ſent Commiſſary-General *Ireton*, with his own Regiment, and Col. *Rich*'s, and ſome other Regiments of Horſe towards *Oxford*, to hinder Proviſions from being carried in thither. And on *Friday*, *April* 10. himſelf advanced to *Barnſtaple*, and ſummoned that Town, who not being in a capacity to make a long Defence, came to a Capitulation, which was concluded on *Sunday* the 12*th*. the Articles being in effect much the ſame as thoſe of *Exeter*: To which place *Fairfax* return'd on the 15*th*, and ſtay'd there four days, for ſetling the Affairs of that City, where he appointed Col. *Hammond* Governor. And on the 18*th* began his March towards *Oxford*, quartering that night at *Chard*, and the next night to *Dorcheſter*, and on *Monday* the 20*th* to *Saliſbury*, waiting there till the 23*d* for the coming up of all his Foot, and Train of Artillery; where he received ſundry Complaints of the Violation of *Cornwal* and *Exeter* Articles, by the Committee's Troops of ſeveral Counties taking from divers their Horſes and Arms, and other Neceſſaries, which by the Articles they were to carry away with them.

Barnſtaple ſurrendred to *Fairfax*, &c. *April* 12.

Fairfax marches towards *Oxford*.

On the 24*th* of *April* part of his Army advanced to *Andover*, whither he went himſelf the next day, and on *Monday* the 27*th* came to *Newbury*.

His Majeſty being at *Oxford*, obſerving the ill poſture of his Affairs, had reſolv'd to betake himſelf to the *Scots* Army before *Newark*. Touching the Grounds and Motives of which unexpected Reſolution, his Majeſty gave this Account in a Letter to the Marquels of *Ormond*, dated the 13*th* of *April*; though the ſame was not publickly known till a conſiderable time after; as ſhall be mentioned in its due place.

His Majeſty's Letter to the Marq. of *Ormond*, Lord Lieutenant of *Ireland*, from *Oxford*, *April* 13. 1646. touching his going to the *Scots*.

Charles R.

RIght Truſty and Entirely beloved Couſin and Counſellor, we greet you well. Having uſed all poſſible and honourable means, by ſending many Gracious Meſſages to the Two Houſes of Parliament; wherein we have offered them all they have heretofore deſired; and deſired from them nothing but what they themſelves (ſince theſe unhappy Wars) have offered, to procure our Perſonal Treaty with them for a ſafe and well-grounded Peace: And having inſtead of a dutiful and peaceable Return to our ſaid Meſſages, received either no Anſwer at all, or ſuch as argues nothing will ſatisfy them, but the Ruin, not only of us, our Poſterity, and Friends, but even of Monarchy it ſelf: And having lately received very good Security, That We, and all that do or ſhall adhere to us, ſhall be ſafe in our Perſons, Honours, and Conſciences, in the *Scotiſh Army*; and that they ſhall really and effectually join with us, and with ſuch as will come in unto us, and join with them for our Preſervation, and ſhall employ their Armies and Forces to aſſiſt us to the procuring of an happy and well grounded Peace, for the good of us and our Kingdoms, in the Recovery of our juſt Right: We have reſolved to put our ſelves to the hazard of paſſing into the *Scots* Army, now lying before *Newark*: And if it ſhall pleaſe God that we come ſafe thither, we are reſolved to uſe our beſt Endeavour, with their Aſſiſtance, and with the Conjunction of the Forces under the Marquels of *Montroſs*, and ſuch of our well-affected Subjects of *England* as ſhall riſe for us, to procure, if it may be, an honourable and ſpeedy Peace with thoſe who have hitherto refuſed to give Ear to any means tending thereunto. Of which our Reſolution we held it neceſſary to give you this Advertiſement, as well to ſatisfy you, and our Council, and Loyal Subjects with you, (to whom we will that you communicate theſe our Letters); that failing in our earneſt and ſincere Endeavours by Treaty to put an end to the Miſeries of theſe Kingdoms, we eſteemed our ſelf obliged to leave no probable Expedient unattempted, to preſerve our Crown and Friends from the Uſurpation and Tyranny of thoſe whoſe Actions declare ſo manifeſtly their Deſigns to overthrow the Laws and happy eſtabliſhed Government of this Kingdom. And now we have made known to you our Reſolution, we recommend to your ſpecial Care the diſpoſing and managing of our Affairs on that ſide, as you ſhall conceive moſt for our Honour and Service; being confident the Courſe we have taken (tho with ſome hazard to our Perſon) will have a good Influence on that our Kingdom, and defer, if not altogether prevent the Rebels tranſporting of Forces from them into that Kingdom. And we deſire you to ſatisfy all our well-affected Subjects on that ſide, of our Princely Care of them,

whereof

whereof they ſhall receive the effect, as ſoon as God ſhall enable us. We deſire you to uſe ſome means to let us and our Council at *Oxon* hear frequently from you, and of your Actions and Condition there: And ſo God proſper your Loyal Endeavours. *Given at our Court at* Oxon *the* 13th *of* April, 1646. 22 *Caroli.*

By his Majeſty's Command,

Edw. Nicholas.

Purſuant to the aforeſaid Reſolution of leaving *Oxford*, his Majeſty on *Monday, April* 27. (the ſame day *Fairfax* came to *Newbury*) about Midnight, did in Diſguiſe go out of that City, in Company only of Dr. *Hudſon* a Divine, and Mr. *John Aſhburnham*, and rode as Servant to the latter, with a Cloak bag behind him: And the more to conceal which way he intended to take, 'twas ſaid there was Order given, That Three Perſons ſhould about the ſame Hour go out of each of the other Gates of the City. Concerning the Courſe of this his Majeſty's Journey, Dr. *Hudſon* being afterwards taken, upon his Examination declared to this Effect: That they came to *Henley*, *Brentford*, and *Harrow on the Hill*, where he ſtay'd ſome time: From thence he went towards St. *Albans*, and was upon the Road overtaken by a Drunken Man well horſed, and riding violently; which put the King and the Two Gentlemen with him into ſome Apprehenſions that they were diſcovered and purſued: But that Fear being ſoon over, they turned paſt St. *Albans* out of the common Road; and the moſt remarkable place they ſtay'd at next, was *Harborough* in *Leiceſterſhire*, where they expected Monſieur *Montril* the *French* Agent, or ſome Horſe from him, to meet them, and conduct his Majeſty to the *Scots* Army, as it ſeems the ſaid Agent had before promiſed to Dr. *Hudſon*; who failing therein, his Majeſty went to *Stamford*, where he lay one Night, and from thence paſſed to *Downham* in *Norfolk*, where he lay from *Thurſday, April* 30. to *Monday, May* 4. And in the mean time ſent Dr. *Hudſon* to the *French* Agent, to know the reaſon why he did not meet at *Harborough*, and to adviſe with him what was now to be done. Here his Majeſty going to be Trimm'd, the Barber found much fault with the unevenneſs of his Hair (which had been cut, to prevent his being known) and told him, the Barber that laſt Trimm'd him, was much to blame for it. Upon Dr. *Hudſon*'s return, his Majeſty repaired to the *French* Agent, who lay at *Southam*, and thence ſent to General *Leven*, and was conducted by a Troop of Horſe to the Lieutenant-General *David Leſley*'s Quarters at *Kellam*, on *Tueſday, May* 5. and notice thereof was given by the *Scots* to the *Engliſh* Commiſſioners reſiding with their Army.

King leaves *Oxford, April* 27. 1646.

The King's Journey.

King comes to the *Scots* Army, *May* 5.

In the mean time the Deſign was kept ſo ſecret, that thoſe at *Oxford*, tho they ſoon knew of his Majeſty's being gone, yet could not gueſs whither he intended his Courſe; but it was generally reported that he was gone for *London*; of which the Two Houſes having notice from Sir *Thomas Fairfax*, (who had now drawn up his Army before *Oxford*) they on *Monday, May* 4. cauſed an Order to be publiſhed by Beat of Drum and Sound of Trumpet, throughout *London* and *Weſtminſter*, to this effect: *Ordered, That it be, and it is hereby declared by the Lords and Commons in Parliament aſſembled, That what Perſon ſoever ſhall harbour and conceal, or know of the harbouring or concealing of the King's Perſon, and ſhall not reveal it immediately to the Speakers of both Houſes, ſhall be proceeded againſt as a Traytor to the Commonwealth, forfeit his whole Eſtate, and dye without mercy.*

King reported to be come to *London*.

Order for diſcovering the King, *May* 4.

And on this occaſion, whereas there had been appointed a General Training of the City Forces, to be held in *Hide-Park*, *May* 5. the ſame was put off by Order of the Houſes to another day. And alſo they paſſed the following Ordinance:

WHereas the Lords and Commons in Parliament aſſembled, by an Ordinance of the 31*ſt* of *March* laſt, for the Reaſons therein mentioned, have ordered, That all Papiſts whatſoever, and all Officers and Soldiers of Fortune, and other Perſons that have born Arms againſt the Parliament, not being under Reſtraint, ſhould before the end of the 6*th* day of *April* laſt paſt, depart out of the Cities of *London* and *Weſtminſter*, and Lines of Communication; the ſaid Order to continue for the ſpace of one Month after the ſaid 6*th*

Order for Papiſts and Cavaliers to depart 20 Miles from *London*, *May* 5.

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6*th* day of *April*, under divers Penalties, Limitations, and Proviſoes in the ſaid Ordinance mentioned, whereunto relation being had, doth and may appear. And whereas the Lords and Commons do take notice, That divers Perſons, in obedience to the ſaid Ordinance, have departed the ſaid Cities and Lines of Communication, and yet do remain in the Towns and Villages near adjoining, who upon all Attempts that might be made to the diſturbance of the Peace of the ſaid Cities, can ſoon draw themſelves together for Action, and put themſelves into a condition to act any miſchievous Deſign that may be againſt the ſaid Cities: The ſaid Lords and Commons, for the Safety of the Parliament, and Cities of *London* and *Weſtminſter*, do conceive it moſt neceſſary, that further Care and Proviſion ſhould be had, to prevent the great Inconveniences that may ariſe by the continuance of the ſaid Perſons in the ſaid Places, or their preſent Reſort to the ſaid Cities, do ordain and declare, That the ſaid Ordinance, and all and every Clauſe, Article, and Proviſo thereof, ſhall continue and be in force to all Intents and Purpoſes, under the Penalties therein mentioned, againſt all and every ſuch Perſon and Perſons, for the ſpace of one Month more, from the End and Expiration of the aforeſaid Month, as if the ſaid Ordinance had been made to have continued for Two Months from the ſaid 6*th* day of *April*. And it is further ordained, That all perſons that have born Arms againſt the Parliament, and all Papiſts whatſoever which went out of the Lines of Communication, in obedience to the ſaid Ordinance, and all other ſuch perſons as aforeſaid, as have ſince come from the Enemies Quarters to or near the ſaid Cities, ſhall by the 12*th* day of this inſtant *May* depart and remove themſelves Twenty Miles at the leaſt, diſtant from the ſaid Cities and Lines of Communication, under the Penalties mentioned in the ſaid recited Ordinance: And of the places whither they intend to reſort, ſhall give or ſend particular notice under their hands in writing, unto the Committee at *Goldſmiths-Hall*, mentioned in the ſaid recited Ordinance, before the ſaid 12*th* day of *May*.

The Two Houſes on the 6*th* of *May* received Intelligence of the King's being in the *Scots* Army, by Letters from Col. *Poyntz*, and from their Commiſſioners before *Newark*: And after a long Debate the Commons paſſed theſe ſeveral Votes:

Votes touching the diſpoſal of the King, *May* 6.

That the Commiſſioners and General of the *Scots* Army be deſired, That his Majeſty's Perſon be diſpoſed of as both Houſes ſhall deſire and direct.

That his Majeſty be thence diſpoſed of, and ſent to *Warwick*-Caſtle.

That Mr. *Aſhburnham*, and the reſt of thoſe that came with the King into the *Scots* Quarters, ſhould be ſent for as Delinquents by the Serjeant at Arms attending the ſaid Houſe, or his Deputy. And that the Commiſſioners for the Parliament of *England*, reſiding before *Newark*, ſhould acquaint the *Scots* General with theſe Votes; and alſo make a Narrative of the manner of the King's coming into the *Scots* Army, and preſent it to the Houſe.

Forces order'd into *Holy-Iſland*, *May* 7.

The Houſe of Commons being informed, That *Holy-Iſland* in *Northumberland* was in great danger, and lay open to an Enemy, if ſpeedily ſome Forces were not ſent thereunto, ordered a Letter to the Committee of that County, to require them forthwith to ſend ſome Forces to maintain the ſaid Iſland, it being of ſuch great Conſequence to the *Northern* parts of this Kingdom.

A Letter from the *Scots* General and Committee of Eſtates, to the Committee of both Kingdoms, touching the King's coming into their Army, dated *May* 6.

Right Honourable,

THE earneſt deſire which we have to keep a right underſtanding between the Two Kingdoms, moves us to acquaint you with that ſtrange Providence wherewith we are now ſurprized, together with our Carriage and Deſires thereupon. The King came into our Army yeſterday in ſo private a way, that after we had made Search for him, upon the Surmiſes of ſome Perſons who pretended to know his Face, yet we could not find him out in ſundry Houſes. And we believe your Lordſhips will think it was matter of much Aſtoniſhment to us, ſeeing we did not expect he would have come in any Place under our Power. We conceived it not fit to enquire into the Cauſes that perſuaded him to come hither, but to endeavour that his being here might be improved to the beſt advantage, for promoting the Work of Uniformity,

for

22 *Caroli.*

for ſetling of Religion and Righteouſneſs, and attaining of Peace, according to the League and Covenant, and Treaty, by the Advice of the Parliaments of both Kingdoms, or their Commiſſioners authorized for that effect. Truſting to our Integrity, we do perſuade our ſelves, that none will ſo far miſconſtrue us, as that we intended to make uſe of this ſeeming advantage, for promoting any other Ends than are expreſs'd in the Covenant, and have been hitherto purſued by us with no leſs Conſcience than Care. And yet for further ſatisfaction, we do ingenuouſly declare, That there hath been no Treaty nor Capitulation betwixt his Majeſty and us, nor any in our Names; and that we leave the ways and means of Peace unto the Power and Wiſdom of the Parliaments of both Kingdoms. And ſo far as concerns us, as we have a Witneſs in Heaven, we are confident to make it appear to the World, That there is nothing more in our deſires, than in all our Reſolutions and Proceedings to adhere to the Covenant and Treaty. Our graveſt Thoughts ſhall be taken up in ſtudying, and our utmoſt Abilities employed in acting thoſe things that may beſt advance the Publick Good, and common Happineſs of both Kingdoms; wherein by the help of the moſt High we ſhall labour to uſe ſo much Tenderneſs and Care, that we hope it ſhall ſoon appear that our Actions have been the Iſſue and Reſult of honeſt and ſingle Intentions. And further, we cannot (in a matter of ſo deep Conſequence and common Intereſt) but ſeek your Lordſhips Advice; for which effect we have alſo written to the Committee of Eſtates of *Scotland*, with intentions to move by your joint Councils and Reſolutions; that we at laſt, after a Seed-time of many Afflictions, may reap the ſweet Fruits of Truth and Peace. And in this Confidence we remain,

Southwell, May 6. 1646. *Your Lordſhips Humble Servants,*

Leven,	*Dumferming,*	*Lothian,*
Belcarris, S. D.	*Hume,*	Sir *Th. Carre,*
R. of Freeland, W.	*Glendowyn,*	*John Johnſton.*

Immediately upon the King's coming to the *Scots*, General *Leven* had ſome Treaty with his Majeſty about the Surrender of *Newark*, deſiring him to give Order to the Lord *Bellaſis*, Governor thereof, to ſurrender; and his Majeſty offered to ſurrender it to them; but General *Leven* anſwered, That to remove all Jealouſies, it muſt be yielded to the Parliament of *England:* Whereupon his Majeſty was prevailed with, to ſend Order to the Governor to that purpoſe: Which was by Commiſſioners appointed by each ſide, agreed on the following Articles.

Articles for the Surrender of *Newark*, *May* 6. 1646.

Articles agreed and concluded the 6th *of* May, 1646. *between the Commiſſioners hereunder named, authorized by the Committee of the Parliament of both Kingdoms of* England *and* Scotland, *on the one part: And the Commiſſioners hereunder named by the Governor of* Newark, *Lieutenant-General to his Majeſty of the Counties of* Nottingham, Lincoln, *and* Rutland, *and Governor of the Town and Caſtle of* Newark, *of the other party: Touching the yielding and ſurrendring of that Gariſon, and the Caſtle, Forts, and Sconces thereunto belonging, to the Committee of both Kingdoms, for the uſe of the Parliament of* England.

1. THat the Town and Gariſon of *Newark*, with the Caſtle, Forts, Sconces, Ordnance, Mortar-pieces, Arms, Ammunition and Proviſions, and Neceſſaries of War (not herein after excepted) be ſurrendred on *Saturday* next at Ten of the Clock, into the hands of the Committee of both Kingdoms, or whom they ſhall appoint, for the uſe of the Parliament of *England*, without embezling any of them.

2. That the Governor of the ſaid Gariſon ſhall march away with his Servants, Horſes, Arms, and proper Goods, to any Gariſon he ſhall name, not beſieged or block'd up, or to his own Houſe, there to remain unmoleſted, ſubmitting to all Ordinances of Parliament. And alſo that the ſaid Governor ſhall have liberty, upon deſire, any time within Three Months to paſs beyond Seas, and to have Paſſes granted for himſelf and Servants accordingly.

3. That all Officers in Commiſſion, or that have been formerly in Commiſſion, ſhall march away with their Horſes, Arms, and their proper Goods; the

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the Common Soldiers of Horſe and Foot, with their Money, Cloaths, and Swords, to any Gariſon not beſieged or block'd up, or to their own Houſes, as they ſhall make choice of. And thoſe that have not Money, to have Free Quarter in their March, and not to march above Ten Miles in one day, unleſs they pleaſe; and to have a Convoy and Carriages provided for the carrying away their Goods; Hoſtages being given for the Return of the Convoy and Carriages: And ſuch Goods as cannot be removed, the Owners ſhall have Three Months liberty to diſpoſe of them.

4. That all ſuch Officers and Gentlemen now in the Gariſon, who ſhall deſire to depart this Kingdom, ſhall, upon ſignification thereof to the Commiſſioners of both Kingdoms any time in Three Months, have Paſſes for that purpoſe for themſelves and Servants; engaging themſelves during their ſtay, to do no Diſſervice to the Parliament.

5. That all ſuch Officers and Soldiers as by reaſon of Sickneſs, Wounds, or otherwiſe, are not able to march out at the ſame time appointed, ſhall have liberty to ſtay in the Town, or ſome other convenient place, till they be recovered; and ſuch as are not able to provide Maintenance for themſelves, ſhall have Care taken of them.

6. That all Noblemen and Gentlemen in the ſaid Gariſon ſhall have liberty to march forth, with their Horſes and Arms, and their known Menial Servants, and Swords, to their own Houſes, there to remain unmoleſted, ſubmitting to all Ordinances of Parliament; and to have liberty to carry away their own proper Goods, then or at any time within Three Months; or to have Paſſes for themſelves and Servants to go beyond Sea within Three Months; and in the mean time to engage themſelves to do nothing to the Diſſervice of the Parliament.

7. That all Clergymen in the Gariſon ſhall have liberty with their Horſes, Servants, and their own proper Goods, to march to any Gariſon unblock'd up, or not beſieg'd, or to their own Houſes, there to remain unmoleſted, ſubmitting to all Ordinances of Parliament.

8. That the Mayor, Aldermen, and Inhabitants of the ſaid Gariſon ſhall not be moleſted in their Perſons, Privileges, Goods or Eſtates, (ſubmitting to all Ordinances of Parliament) and to enjoy the ſame Liberty, and to have the ſame Protection as all other Towns have, which are in the Power of the Parliament.

9. That the Ladies, Gentlewomen, Wives, Widows, Children and Servants, belonging to any of the Perſons mentioned in the former Articles, or any other, ſhall have liberty to march forth of the ſaid Gariſon, with their Coaches, Horſes, and proper Goods, as in the 6th Article: And if any of them, by reaſon of Sickneſs, or any other juſt reaſon, cannot march away, then they ſhall have liberty to ſtay there till their Recovery, and then to depart unmoleſted.

10. That all Priſoners now in the ſaid Gariſon, Caſtle, or Forts, or any other Priſoners of War taken by either Party ſince the Siege began, ſhall forthwith upon ſigning theſe Articles be ſet at liberty, unleſs they be detained for Criminal Offences charged upon them, not as Soldiers.

11. That all Perſons compriſed within theſe Articles, grounded upon the Summons of the 27*th* of *April*, which began this preſent Treaty, be recommended to compound with the Parliament for their Eſtates, as coming in before the 1*ſt* of *May*; ſo as they do effectually proſecute their Compoſitions within Two Months next enſuing the Date hereof.

12. If any of the Perſons above-mentioned ſhall violate any of theſe Articles, or any part of them, they ſhall loſe the benefit of all the ſaid Articles.

13. That for the Performance of theſe Articles, Hoſtages may be mutually given, and a Ceſſation of Arms continued by both ſides, till the time of Surrender, according to the Articles; and that Guards and Convoys be appointed to protect the Gentry and Soldiers, in their March, from Violence.

Sign'd by us the Commiſſioners of the Lord Bellaſis,

Thomas Ingram, Gilby,
Bryan Palmes, Darſie,
Jarvis Nevil, Atkins,
Robert Sutton, Standiſh,
Simon Fanſhaw, Tho. Briſtow Clerk.
Eyre,

Sign'd by us Authorized by the Commiſſioners of both Kingdoms,

Alex. Popham, Twiſleton,
Franc. Thornhaugh, John Archer,
John Hutchinſon, Walter Scot,
Henry Gray, Gilbert Carre,
Rich. Thornton, Arch. Douglaſs.

The

22 *Caroli.*

Newark ſurrendred *May* 8.

The Sickneſs being very hot in the Town, occaſioned the Surrender thereof a day ſooner than was agreed upon; ſo that it was yielded up on *Friday* the 8*th* of *May*, the Officers and Soldiers marching to their own reſpective Homes, there being ſcarce any Gariſon of the King's unbeſieg'd, to which they might reſort. There were found in the Town,

One very great Piece of Ordnance, commonly called *Sweetlips*, and 11 other great Pieces of Ordnance, 2 Mortar-pieces, divers Drakes, and ſmall Pieces. Four Thouſand Arms, 40 Barrels of Gunpowder, great ſtore of Bullets, Match, and other Ammunition.

The *Scots* march *Northwards*, and carry the King with them.

The next day after the Articles of *Newark* were ſign'd, the *Scots* Army took their March *Northwards*, his Majeſty being with Lieutenant-General *Leſley* in the Van of them; and on *Wedneſday*, *May* 13. came into *Newcaſtle*; a Lane of Muſquets and Pikes being, by Order from Sir *James Lunſdale* the Governor, made from *Gateſhead* (the place where his Majeſty entred the Town) all along the Streets to the General's Quarters, where his Majeſty took up his Reſidence.

Col. *Poyntz* with a Party of Horſe and Dragoons followed after into *Yorkſhire*.

The *Scots* Commiſſioners, ſoon after their riſing from *Newark*, ſent to the Parliament's Commiſſioners, to deſire a Meeting with them on *Monday* the 11*th* of *May*, to give them an Account of their ſo ſudden departure, and their Reaſons for not delivering up Mr. *Aſhburnham* according to the Order of Parliament But before that day, Mr. *Aſhburnham* made his Eſcape, and ſo the *Scots* Commiſſioners did not meet at the ſaid place appointed: And Dr. *Hudſon* endeavouring likewiſe to eſcape, was for the preſent ſecured in *Newcaſtle*. And touching that buſineſs, the Committee of Eſtates with the *Scots* Army ſent afterwards to the Two Houſes the following Paper, by their Commiſſioners in *London*.

The *Scots* Paper of their Reaſons for not delivering up Col. *Aſhburnham* and Dr. *Hudſon*, *May* 25.

THE Committee of Eſtates with the *Scots* Army having received a Vote of the Honourable Houſe of Commons, incloſed in a Letter from the Commiſſioners of both Houſes, demanding the Perſons of Mr. *John Aſhburnham*, and all others that came with the King into the *Scots* Army before *Newark*, to be delivered up; did ſeriouſly take into deliberation how they might return a Satisfactory Anſwer to the Deſire of the Houſe of Commons: wherein they found themſelves preſſed with no ſmall Difficulties, ariſing from the Conſideration of the Vote which did require Mr. *John Aſhburnham* and others to be delivered up, upon this Narrative and Reaſon, That they came into the *Scotiſh* Army before *Newark* with his Majeſty; there being no other Cauſe of Delinquency made known unto the Committee of Eſtates, and no more being expreſſed concerning Mr. *John Aſhburnham*, than other Perſons who were Guides to his Majeſty in his Way thither: It did appear unto them, that they were no more obliged to deliver up Mr. *John Aſhburnham*, his Majeſty's ordinary Servant, and others, only for their attending the King to the *Scotiſh* Army, than the Parliament of *England* ſhould have been obliged in the like Caſe to deliver up any Subject of *Scotland* for attending his Majeſty, if he had gone into Sir *Tho. Fairfax*'s Army, or come to *London*. And it did very much weigh with their Lordſhips, That the delivering up of theſe Perſons merely for their coming with his Majeſty into the *Scotiſh* Army, would import, that they did acknowlege it to be unlawful for themſelves to receive his Majeſty, coming unexpectedly, without any Invitation, into their Army, ſith he could not come without one Servant or other to attend him.

But if Mr. *John Aſhburnham*, or any other that came with his Majeſty, had been declared by the Parliament to be Incendiaries, Malignants, or evil Inſtruments, by hindring the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any Factions or Parties amongſt the People, contrary to the Solemn League and Covenant, then it was their Reſolution, and they were ready therein to give Satisfaction to the Honourable Houſes.

Upon theſe and other Grounds they did deſire to confer with the Commiſſioners of both Houſes, to the end they might either give or receive Satisfaction; and accordingly wrote unto them for this purpoſe, leaving unto them to appoint the place of Meeting. It was alſo conſidered what ſhould be done

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done in the Interim, till upon Conference and mutual Conſultation with the Commiſſioners of Parliament, the matter ſhould be determined. And tho' for the coming of theſe Perſons with the King to the *Scots* Army (no other Cauſe of Offence being known, or Crime objected againſt them) the Committee of Eſtates could not in Honour and Juſtice, nor without Reflection upon themſelves for receiving his Majeſty, put a Reſtraint upon them; yet leſt the buſineſs ſhould be divulged, and upon apprehenſion of the Iſſue thereof any of them ſhould make an Eſcape, the Committee thought fit, and did accordingly enjoin Secreſy in the whole matter.

While they were expecting an Anſwer from the Commiſſioners of both Houſes, they received Advertiſement, That 5000 Horſe and Dragoons were upon their March *Northwards* towards them, no Enemy being in thoſe Parts; and that Two Meſſengers ſent from us to them were intercepted and ſearched. Whereupon they judged it neceſſary, and did write to the Commiſſioners of Parliament to delay the intended Meeting till the Army ſhould come to a more convenient place, being unwilling that the Forces of the Two Kingdoms ſhould engage upon a Miſtake: And ſo ſoon as they came to *Burrowbriggs*, they renewed their deſires to the Commiſſioners of Parliament for a Conference about this buſineſs, to which the Commiſſioners by reaſon of their other occaſions did not agree.

In all which the Committee of Eſtates conceive that they have uſed their beſt Endeavours to give Satisfaction to the deſire of the Honourable Houſe of Commons, eſpecially ſeeing upon the very firſt notice they had of Mr. *Aſhburnham* and Mr. *Hudſon* their Endeavour to eſcape, they ſent forth on all hands Orders to apprehend them; and ſuch diligence was uſed, as Mr. *Hudſon* was apprehended, and is now in *Newcaſtle*, in the Cuſtody of the Deputy-Mayor: And as a Worthy and Noble Lord, the Lord *Balcarras*, lately come hither, hath by Order of the Committee made known unto us, his Lordſhip and all the reſt of that Honourable Committee can declare upon their Honour, That directly nor indirectly they were no ways acceſſary to Mr. *Aſhburnham*'s Eſcape, nor had any knowledge thereof, whatſoever may be ſuggeſted to the contrary. All which being conſidered, together with the Letters and Papers to be preſented this day to the Houſe, from the Committee of both Kingdoms, we are confident that Honourable Houſe will reſt ſatisfied with their Carriage in this particular, and with their other Proceedings.

May 25. 1646.

Soon after this, the King's Letter of the 13*th* of *April* before-recited, to the Marqueſs of *Ormond*, was by the Marqueſs communicated to Major-General *Monroe*, the *Scots* Commander in Chief, by a Letter in theſe words:

The Marq. of *Ormond*'s Letter to *Monroe*, *May* 21.

SIR,

HAving this Morning received a Diſpatch from his Majeſty, and Command to impart it not only to his Council, but to all his Loyal Subjects; I am confident you have ſo good a Title to a Knowledge thereof, that I have held it my part inſtantly to diſpatch it unto you by an Expreſs: And ſo, Sir, wiſhing you all Happineſs, I reſt, *Your Aſſured Humble Servant*,

Dublin-Caſtle, *May* 21. 1646. Ormond.

Monroe communicated the ſame to the Commiſſioners of Parliament in *Ulſter*, who ſent Copies of the ſaid Letter, as printed at *Dublin*, over to the Two Houſes by Sir *Robert King*, one of the ſaid Commiſſioners; and the ſame was read in the Houſe of Commons on *Saturday*, *June* 6. whereupon on the *Monday* following, the Commiſſioners of the Parliament of *Scotland*, reſiding at *Weſtminſter*, delivered in the following Letter or Declaration to the Houſe of Peers.

The *Scots* Commiſſioners Declaration, *June* 8. 1646. touching the King's Letter of the 13*th* of *April* to the Marq. of *Ormond*.

For the Right Honourable the Speaker of the Houſe of Peers pro Tempore.

Right Honourable,

THis incloſed Paper having very lately come to our hands, which altho it hath not ſo much as colour enough to deceive, yet nevertheleſs as General-Major *Monroe*, in teſtimony of his Integrity, did communicate the thing

to

dom of *Scotland*, their Army, or any in their Name, and having Power from them, upon the other part, is a moſt damnable Untruth. We ſhall not need to expreſs how improbable it is, if there had been any ſuch Agreement, that the King about the ſame time ſhould have ſent a Meſſage to both Houſes, offering to come to *London*, and to follow their Advice in all things, without offering any Satisfaction to the Kingdom of *Scotland*: And that before he received the Anſwer of the Houſes, he ſhould write ſuch a Letter to *Ireland*, and give Order to make it known, not only to his Privy-Council, but to his other Subjects of that Kingdom. Nor will we inſiſt how improbable it is, that the King ſhould make this known to the Marqueſs of *Ormond*, and neglect to acquaint the late Earl of *Montroſs*, who had been much more concerned, and who would, no doubt, if he had known any ſuch thing, have communicate the ſame to General-Major *Midleton*, and prevented the defeating of himſelf, his Aſſociates and Forces, about the middle of *May*, after the King was with the *Scottiſh* Army. Nor how unlikely it is, that he who is for the time Commander in Chief for the *Scottiſh* Forces in *Ireland*, ſhould be for the ſpace of ſeven or eight Weeks totally ignorant of any ſuch Agreement; or if he had known any ſuch thing, that he would have communicated it to the Commiſſioners of the Parliament, and immediately marched himſelf to the Fields againſt the Enemy. Nor ſhall we need to call to mind the Expreſſions in the Lord *Digby*'s intercepted Letters, which gave our Nation the Character of ſuch as could not be gained to that ſide, no, not after all Applications uſed. There are other more ſure and more publick Teſtimonies, ſince the date of that lying Paper, which makes the Fallhood of it more than palpable, as if Divine Providence had purpoſely ordered all the late Actions of the Kingdom of *Scotland*, and of their Forces, both before and ſince the Third of *April*, to be ſo many real Confutations of that groundleſs Invention: We mean, ſeveral late Fights with the Rebels under the late Earl of *Montroſs*, and *Allaſter Mac Donald*; the delivery of *Newark*, the reſtraining and debarring of Delinquents and Malignants from the King's Perſon, and from our Army, the late publick Declarations of the Church and State of *Scotland* in the beginning of *April*, as likewiſe of the General and Committee with the Army, agreed upon about the end of *April*, and publiſhed the 15*th* of *May* in *Scotland*, againſt a Band of the Earl of *Seaforth* and his Aſſociates; as for other reaſons, ſo eſpecially for this, that the ſaid Band did tend to the weakning of the Confidence and Union between the Two Kingdoms, firmly joined and mutually engaged for aſſiſtance to each other in this Cauſe, as may appear more fully by the Declaration herewith preſented. Nor can we paſs the Paper delivered to the King by the Committee of Eſtates upon the 15*th* of *May* laſt, That if his Majeſty ſhould delay to go about the readieſt ways and means to ſatisfy both his Kingdoms, they would be neceſſitated for their own Exoneration to acquaint the Committee of both Kingdoms at *London*, that a courſe might be taken by joint Advice of both Kingdoms, for attaining the juſt Ends expreſſed in the Solemn League and Covenant. We ſhall ſay no more of this particular; God hath his own time to make manifeſt who have dealt ſincerely, and who falſly; and as our Nation

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did refuſe to join with the Enemy's Forces when they were ſtrongeſt, and did join with our Brethren of *England* in their weakeſt and moſt neceſſitous Condition; ſo we ſhall never look for a Bleſſing from God upon either Nation, longer than they continue faithful to God and to each other, according to the Covenant and Treaty. And we do confidently expect from the Wiſdom and Juſtice of the Honourable Houſes, that this and ſuch like Papers ſhall find no more Credit here, than Papers and Declarations againſt themſelves did formerly find in *Scotland*; and that Declarations and Publick Papers from the Kingdom of *Scotland*, or their Committees or Commiſſioners, ſhall have ſuch Acceptation with both Houſes, as they deſire Declarations from themſelves, or Papers from any in their Name, may have with their Brethren of *Scotland*. Nor do we doubt but God will diſſipate all theſe Clouds of Calumnies and Miſunderſtandings endeavoured thereby, and will give ſuch a frame of Spirit to both Nations, as may continue them in a Brotherly Accord, and mutual Confidence for the good both of this, and of the ſucceeding Generations, which hath been, is, and ſhall be moſt earneſtly wiſhed and faithfully endeavoured by

Your very Affectionate Friends, and Humble Servants,

Worceſter-Houſe the 8*th* of *June*, 1646.

Lauderdale, *Johnſton*, *Charles Erſkine*, *Hen. Kennedy*, *Robert Barclay*.

We have ſent your Lordſhips here incloſed an Order of the Committee of Eſtates at the Army, which will evidence their Care to remove out of that Army, all ſuch againſt whom any juſt Complaints have been made by the Country.

But before this, his Majeſty ſent the following Meſſages.

His Majeſty's Meſſage to the Two Houſes, after his coming to the *Scots* Army, *May* 18.

Charles R.

HIS Majeſty having underſtood from both his Houſes of Parliament, That it was not ſafe for him to come to *London* (whither he had purpoſed to repair, if ſo he might, by their Advice, to do whatſoever may be beſt for the Good and Peace of both Kingdoms) until he ſhall firſt give his Conſent to ſuch Propoſitions as were to be preſented to him from them; and being certainly informed, that the Armies were marching ſo faſt up to *Oxford*, as made that no fit Place for Treating, did reſolve to withdraw himſelf hither, only to ſecure his own Perſon, and with no intention to continue this War any longer, or to make any Diviſion between his Two Kingdoms; but to give ſuch Contentment to both, as by the Bleſſing of God he might ſee a happy and well-grounded Peace, thereby to bring Proſperity to theſe Kingdoms, anſwerable to the beſt Times of his Progenitors.

And ſince the ſetling of Religion ought to be the chiefeſt Care of all Counſels, His Majeſty moſt earneſtly and heartily recommends to his Two Houſes of Parliament, all the ways and means poſſible for ſpeedy finiſhing this pious and neceſſary Work; and particularly that they take the Advice of the Divines of both Kingdoms, aſſembled at *Weſtminſter*.

Likewiſe concerning the Militia of *England*, for ſecuring his People againſt all Pretenſions of Danger, his Majeſty is pleaſed to have it ſetled as was offered at the Treaty at *Uxbridge*; all the Perſons being to be named for that Truſt by the Two Houſes of the Parliament of *England* for the ſpace of Seven Years; and after the Expiration of that Term, That it be regulated as ſhall be agreed upon by his Majeſty and his Two Houſes of Parliament.

And the like for the Kingdom of *Scotland*.

Concerning the Wars in *Ireland*, his Majeſty will do whatſoever is poſſible for him, to give full Satisfaction therein.

And if theſe be not ſatisfactory, his Majeſty then deſires that all ſuch of the Propoſitions as are already agreed upon by both Kingdoms, may be ſpeedily ſent unto him; his Majeſty being reſolved to comply with his Parliament in every thing that ſhall be for the Happineſs of his Subjects, and for the removing of all unhappy Differences, which have produced ſo many ſad Effects.

His Majeſty having made theſe Offers, he will neither queſtion the thankful Acceptation of them; nor doth he doubt but that his Two Kingdoms will

will be careful to maintain him in his Honour, and in his juſt and lawful Rights; which is the only way to make a happy Compoſure of theſe unnatural Diviſions: And likewiſe will think upon a ſolid way of conſerving the Peace between the Two Kingdoms for time to come; and will take a ſpeedy courſe for eaſing and quieting his afflicted People, by ſatisfying the Publick Debts, by disbanding of all Armies, and whatſoever ſhall be judged conducible to that end; that ſo all Hindrances being removed, he may retuan to his Parliament with mutual Comfort. 22 Caroli.

Southwell, May 18. 1646.

Poſtſcript.

His Majeſty being deſirous to ſhun the further Effuſion of Blood, and to evidence his real Intentions to Peace, is willing that his Forces in and about *Oxford* be disbanded, and the Fortifications of the City diſmantled, they receiving Honourable Conditions; which being granted to the Town and Forces there, his Majeſty will give the like Order to the reſt of the Gariſons.

The King's Letter to the City of *London* from *Newcaſtle, May* 19.

Charles R.

RIght Truſty and Well-beloved, we greet you well. Having expreſſed our Reſolution to the Two Houſes of our Parliament of *Scotland*, to give all juſt Satisfaction to the joint Deſires of both Kingdoms, we have now likewiſe thought fit to aſſure the Two Chief Cities of both our Kingdoms, That nothing is more grievous to us than the Trouble and Diſtractions of our People; and that nothing on Earth is more deſired by us, than that in Religion and Peace, with all the comfortable Fruits of both, they may henceforth live under us in all Godlineſs and Honeſty. And this Profeſſion we make for no other end, but that you may know immediately from our ſelves our Integrity and full Reſolution to comply with our Parliaments in every thing for ſetling Truth and Peace, and our deſire to have all things ſpeedily concluded, which ſhall be found requiſite for that end: That our Return to that our Ancient City may be to the ſatisfaction of our Parliament, the good liking of you and all our good People, and to our own greater Joy and Comfort. We bid you heartily farewell.

From Newcaſtle, *the* 19*th of* May, 1646.

To our Right Truſty and Well-beloved, the Lord-Mayor, Aldermen, and Common-Council of our City of London.

The *King's* Meſſage to both Houſes from *Newcaſtle, June* 10. 1646.

Charles R.

HIS Majeſty looking with Grief of Heart upon the ſad Sufferings of his People in his Three Kingdoms for ſome Years paſt, and being afflicted with their Diſtreſſes, and unquiet Condition, through the Diſtractions about Religion, the keeping of Forces on foot in the Field and Gariſons, the not ſatisfying of Publick Debts, and the fears of the further Effuſion of Blood by the continuance of an unnatural War in any of theſe Kingdoms, or by rending and dividing theſe Kingdoms, ſo happily united; and having ſent a gracious Meſſage unto both Houſes of Parliament, and the Commiſſioners of the Parliament of *Scotland*, expreſſing the neceſſary Cauſes of his coming from *Oxford* unto the *Scotiſh* Army (without any intention to make a Diviſion) where he is in freedom and right capacity to ſettle a true Peace, and containing ſuch Offers as he conceived would have been accepted, with a general Clauſe of complying with their Deſires: And being impatient of Delays, and not acquainted with the Particulars which may give Contentment to them, his Majeſty doth earneſtly deſire, that the Propoſitions of Peace ſo often promiſed, and ſo much expected, may be ſpeedily ſent unto him; that upon Conſideration of them, he may apply himſelf to give ſuch Satisfaction as may be the foundation of a firm Peace. And for the better and more ſpeedy attaining thereunto, his Majeſty doth further propound, That he may come to *London* with Safety, Freedom, and Honour, where he reſolves to comply with his Houſes of Parliament in every thing which may be moſt for the Good of his Subjects, and perfect what remains for ſetling both Kingdoms and People in an happy Condition; being likewiſe moſt confident, that they, according to

An. 1646. their reiterated Declarations, and ſolemn Proteſtations, will be zealous in the Maintenance of his Honour, and juſt and lawful Rights. And as his Majeſty deſires the Houſes of Parliament to diſburthen the Kingdom of all Forces and Gariſons in their power, except ſuch as before theſe unhappy Times have been maintained for the neceſſary Defence and Safety of this Kingdom; ſo he is willing forthwith to diſband all his Forces and Gariſons within the ſame, as the incloſed Order herewith ſent will evidence. And if upon theſe Offers his Majeſty ſhall have ſuch Satisfaction, as he may be confident a firm Peace ſhall enſue thereon, his Majeſty will then give Order for his Son the Prince his preſent Return.

Newcaſtle, the 10*th* of *June*, 1646.

His Majeſty's Warrant to Sir *Tho. Glenham, &c.* to ſurrender their Gariſons, *June* 10. 1646.

To our Truſty and Well-beloved, Sir Tho. Glenham, *Sir* Tho. Tildeſley, *Col.* H. Waſhington, *Col.* Tho. Blagge, *Governors of our Cities and Towns of* Oxford, Litchfield, Worceſter, *and* Wallingford, *and all other Commanders of any Towns, Caſtles, and Forts, in our Kingdom of* England.

Charles R.

HAving reſolved to comply with the Deſires of our Parliament in every thing which may be for the good of our Subjects, and leave no means unaſſay'd for removing all Differences amongſt us: Therefore we have thought fit, the more to evidence the reality of our Intentions of ſetling an happy and firm Peace, to require you, upon Honourable Terms, to quit thoſe Towns, Caſtles, and Forts intruſted to you by us, and to diſband all the Forces under your ſeveral Commands.

Newcaſtle, the 10*th* of *June*, 1646.

CHAP. IX.

Of the Surrender of Oxford, Worceſter, Wallingford-*Caſtle*, Raglan, *and* Pendennis-*Caſtle*.

WHilſt the *Scots* are at eaſe, quartering on the *Northern* Counties (whence lamentable Complaints daily arrived of the Grievances the poor Inhabitants ſuffered by them) and whilſt his Majeſty is under their Power reſiding at *Newcaſtle*, let us look back to the Proceedings of *Fairfax* and his Army in other Parts of the Kingdom.

Fairfax before *Oxford*, *May* 1. 1646.

On the Firſt of *May*, 1646. being that day Twelvemonth that the new-model'd Army firſt took the Field, General *Fairfax* came the ſecond time before *Oxford*, wherein were Prince *Rupert*, Prince *Maurice*, and many of the Prime Nobility and Gentry of *England*. The Foot were drawn to a Rendezvouz between *Abington* and *Garſington*, where Major-General *Skippon*, who had lain ill of his Wounds ever ſince the Battel at *Naſeby*, being now well recovered, came to the Army, and was received with great Acclamations of the Soldiers.

The next day was a General Rendezvouz, both Horſe and Foot, and thence the Forces were diſtributed to their ſeveral Quarters at *Hedington*, *Marſton*, and the Towns thereabouts.

The General ſurveys *Oxford* and conſiders its Strength.

The 3*d* of *May* the General with the Officers of the Army took a Survey of *Oxford*, which they found to have received many material Alterations and Additions of Advantage, ſince their laſt being before it: And though it was always juſtly accounted a Place of great Strength, yet now it was made incomparably more ſtrong than ever: (Which is very eaſy to be believed, if you do but conſider it had been from the beginning of the Wars, the King's Head-Quarters and Gariſon, his chief place of Reſidence and Retreat, where his Council, and moſt of the Nobility that had left the Parliament, attended him. Its place, being almoſt in the Center of the Kingdom, gave it no ſmall advantage for the ſending out of Parties upon any deſign: Beſides, that it was ſurrounded about with many ſmall Gariſons of the King's, as *Radcot*, *Farring-*

ton,

22 *Caroli.*

ton, *Wallingford*, *Sherborn*-Houſe, *Borſtal*, (which were as ſo many Outworks unto it.) The Situation of it in reference to the Ground it ſtood upon, rendred it very apt for defence, being placed betwixt the two Rivers *Iſis* and *Charwell*. Upon the *Weſt* ſide of it ran ſeveral Branches of the River *Iſis*, ſome of which running cloſe by the Town-Walls, was a great defence to it: Upon the *Eaſt*-ſide ran the River *Charwell*, which by making Locks at *Clement's*-Bridge, they had cauſed to overflow the Meadows; ſo that round the City, to the extent of three parts of it (all, except the *North*-ſide, that was ſomewhat higher Ground) was ſurrounded with Water, and abſolutely unapproachable: To this the Line about the City (newly finiſh'd) they found to be very high, having many ſtrong Bulwarks ſo regularly flanking one another, that nothing could be more exactly done; round about, the *Line* both upon the *Bulwarks* and the *Curtin*, was ſtrongly ſet with *Storm-Pales*; upon the outſide of the Ditch round the Line it was ſtrongly *palliſadoed*; and without that again, were digged ſeveral *Pits* in the Ground, that a ſingle Footman could not without difficulty approach the brink of the Ditch. Within the Town there was Five thouſand good Foot, moſt of them of the King's old Infantry, which ſerved him from the beginning of the Wars; and withal, they were well ſtored with a plentiful Magazine of Victuals, Ammunition, and Proviſions for War; in a word, whatever Art or Induſtry could do to make a Place impregnable, was very liberally beſtowed here. All which Strength being apprehended and conſidered by General *Fairfax*, he concluded that this was no place to be taken *at a running Pull*, but likely rather to prove a buſineſs of Time, Hazard, and Induſtry. Whereupon at a Council of War at *Hedington*, it was reſolved to fix his Quarters: The firſt Quarter to be upon *Hedington*-Hill, where was ordered to be made a very large and great Work or Intrenchment, of capacity to receive and lodge 2000 men: As alſo, that a Bridge ſhould be laid over the River *Charwell*, cloſe by *Marſton*, that another Quarter might be gone in hand withal between the Rivers, wherein it was intended moſt of the Foot ſhould be lodged, that being all the ground they had to approach on. Warrants were ſent out unto the Country round about, for *Spades*, *Pickaxes*, &c. for that purpoſe. As alſo a Letter to the Committee for the Army, to haſten more Ammunition, with all Requiſites for the Siege, as *Tents* for Soldiers, *&c.* from *London*; which was no ſooner come from thence, but the great Work upon *Hedington*-Hill was inſtantly fallen in hand withal, and finiſhed in three or four days time, the Soldiers being paid ſo much by the Rod for working thereat: This Work was committed to Major-General *Skippon*. In the mean time the Bridge intended was made over the River *Charwell*, near *Marſton*, where another Quarter was poſſeſſed, and a *Line* drawn from *Iſis* to *Charwell*, and a great Work made on that ſide the Water: Col. *Rainborough* commanded this Work. There was a Third under the Command of Col. *Lambert*; the Fourth, of Col. *Herbert*; and a Line was begun to be drawn from the great Fort on *Hedington*-Hill, over-againſt St. *Clements*.

The management and carrying on of theſe Works, Lines, and Approaches, was recommended to the Care and Skill of Major-General *Skippon*.

By the Intelligence of divers that came out of the City, *Fairfax* was further ſatisfied and confirmed concerning their great Strength within, and Proviſion for to hold out.

Fairfax prepares for the Siege of *Oxford*.

So ſoon as the ſeveral Poſts were aſſigned to the Army before *Oxford*, ſeveral Forces were taken forth and deſigned for the blocking up of other Garriſons; *viz.* Some for *Faringdon*, under the Command of Col. Sir *Robert Pye*: Others for *Radcot*, under the Command of Col. *Cook*; and others for *Wallingford*, under the Command of Col. *Paine* and Col. *Berkeſtead*, on *Berkſhire*-ſide; and Col. *Temple* on *Oxfordſhire*-ſide; others for *Borſtal-Houſe*; and as many Horſeas could be ſpar'd, were ſent towards *Worceſter* for the ſtraitning of that Garriſon, till ſuch time as the Army were at liberty to advance thither: An Account of all which ſeverally ſhall be given in due place.

But firſt an Account of the Surrender of *Banbury*-Caſtle, comes next to be given in.

The taking of *Banbury*.

Banbury, a great and fair Market-Town, had from the beginning of the Troubles been in the King's Poſſeſſion, without almoſt any Intermiſſion; which happen'd to it partly through the Commodiouſneſs of its Situation, as lying

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lying but Eighteen Miles *North* from *Oxford*, and in ſuch a convenient place is gave it a Command into divers other Counties, *viz. Northamptonſhire, Warwickſhire*, &c. from out of which it gathered large Contributions for *Oxford*.

The Forces now employed in the reducing that Place, were about 1000 Foot, and ſome Four Troops of Horſe, all under the Command of Col. *Whaley*: They lay Eleven Weeks before the Caſtle: So ſoon as they came before it, they intrench'd themſelves by a Line drawn round the Town, for their better ſecurity from any Force without; which done, they ſapt up towards the Caſtle, ran ſeveral Galeries over the outmoſt Moat, and ſo wrought into the Works belonging to the Caſtle; who countermining them, ſprang one Mine upon them, but did no great hurt; and alſo flinging down Stones upon them, and Hand-Granadoes amongſt them, bravely repulſed them. Yet they wrought ſo far, as put them out of all hopes of keeping the Caſtle; which conſtrained them to a Parley, and Surrender of the Caſtle, Arms, and Ordnance, Ammunition and Victuals, upon theſe enſuing Articles; *viz.*

Articles for the Surrender of *Banbury*, *May* 6. 1646.

1. THE Governor Sir *William Compton*, and Sir *Charles Compton*, his Brother, to march forth with one Horſe and Arms apiece, two Servants attending them, and to have Two Months liberty to go beyond Sea.

2. All Captains to march forth with one Horſe apiece and their Swords.

3. All the reſt to march forth without Arms, to be disbanded a Mile from the Town; to have Paſſes to march to their ſeveral Homes, or to go beyond Sea; and to have Free Quarter, marching Ten Miles a day.

4. All both Officers and Soldiers to leave half their Moneys behind them.

There were found in the Caſtle Eleven Pieces of Ordnance, Eleven Barrels of Powder, and Four hundred Arms.

But to return to *Oxford*. The Four Quarters being ſetled under Cannon-ſhot, and a Line begun to be drawn from the great Fort on *Hedington*-Hill, round St. *Clements*, (lying without *Magdalen*-Bridge) *Fairfax* ſent in a Summons to Sir *Thomas Glenham* the Governor, requiring the Surrender of that Gariſon. The Copy thereof followeth:

SIR,

I Do by Theſe ſummons you to deliver up the City of *Oxford* into my hands, for the uſe of the Parliament. I very much deſire the preſervation of that Place (ſo famous for Learning) from Ruin; which inevitably is like to fall upon it, except you concur. You may have Honourable Terms for your ſelf and all within the Gariſon, if you ſeaſonably accept thereof. I deſire your Anſwer this day, and remain,

Your Servant,

May 11. 1646. Tho. Fairfax.

The ſame day alſo he ſent a Summons to the Governor of *Borſtall*-Houſe, to the ſame effect for the Subſtance: The Copy whereof followeth;

SIR,

I Do by Theſe ſummons you to deliver up the Gariſon of *Borſtall*-Houſe into my hands, for the uſe of the Parliament. You may have Honourable Terms for your ſelf and all within your Gariſon, if you ſeaſonably accept thereof. I deſire your Anſwer this day.

May 11. 1646. Tho. Fairfax.

As alſo the like to *Radcoat*. And the ſame to *Wallingford*.

Sir *Tho. Glenham*, Governor of *Oxford*, returned Anſwer to the Summons the ſame day as followeth:

SIR,

I Have received your Letter, ſummoning me to ſurrender the City, which was given me in Truſt for his Majeſty's uſe; but in reſpect there are many Perſons of Eminency, I muſt deſire you to receive for Anſwer a Requeſt, That you will be pleaſed to ſend a ſafe Conduct for Sir *John Mounſon*, and Mr. *Philip Warwick*, to repair unto you at ſuch a Time and Place as you ſhall appoint, by whom you ſhall underſtand what for the preſent is deſired. I remain,

May 11. 1646. *Your Humble Servant*, Tho. Glenham.

Acccording

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According as was deſired, Paſſes were granted for Sir *John Mounſon*, and Mr. *Philip Warwick*, to come out of *Oxford* that day, and meet *Fairfax*'s Commiſſioners, Col. *Rainsborough*, Col. *Harlow*, and Col. *Lambert*, who were ready to receive them at the Time and Place appointed. That which they had in Commiſſion, was a deſire from the Governor Sir *Tho. Glenham*, of liberty to ſend to the King to know his pleaſure; upon ſignification whereof from his Majeſty, they would return a poſitive Anſwer to his Excellency immediately.

Fairfax's Commiſſioners endeavoured to perſuade them the Vanity of any ſuch deſire, and the General's Impatiency of any ſuch delay; adviſing them rather to take the preſent opportunity, leſt they afterwards fell ſhort of thoſe Terms they might now have by preſent Compliance.

Whereupon Sir *John Mounſon* and Mr. *Warwick* returning to *Oxford*, took time till the morrow, promiſing more then. One of the General's Trumpeters was appointed to go with them into *Oxford*, to bring their Anſwer the next morning.

On *Tueſday*, *May* 12. the Trumpeter returned with a deſire from Sir *Tho. Glenham*, that in regard there were, beſides the Duke of *York*, and the Two Princes, many other Perſons of Eminency, Lords, Knights, and Parliament-men, and other Gentry and Clergy, beſides the Inhabitants, all concerned in the buſineſs (to whom things could not poſſibly be repreſented fully in ſo ſhort a time) that further time might be granted.

The ſame day Prince *Rupert*, and with him near an Hundred Horſe went forth of *Oxford* on Col. *Rainsborough*'s ſide, to take the Air; Prince *Rupert* riding without Boots, only in his Shooes and Stockins. A Party of the Beſiegers marched up towards them, and fired upon them; in which Skirmiſh Prince *Rupert* had a Shot in the Right Shoulder (but pierced no Bone) whereupon they retreated to *Oxford*: Which was the more taken notice of, becauſe ſuch an Accident had been by *Lilly* the Aſtrologer foretold in Print, likely about that time to befal his Highneſs.

On *Thurſday* 14. the Governor of *Oxford* ſent to make known his deſire to Treat by Commiſſioners, which was accepted of; and a Council of War being called, it was concluded that Mr. *Crook*'s Houſe at *Marſton* ſhould be the Place, and on *Monday* following the Treaty to begin.

May 15. The Beſiegers made another Sally, and kill'd ſome of the Enemy.

Lord's-Day, *May* 17. The Governor of *Oxford* ſent forth the Names of the Commiſſioners for Treaty on his behalf, deſiring *Fairfax* to return the like Number.

Commiſſioners to Treat about the Surrender of *Oxford*.

The Names of both were:

On Sir Tho. Glenham's *part*,		*On his Excellency Sir* Tho. Fairfax's *part*,	
Sir *John Mounſon*,	Col. *Tyllier*,	L. Gen. *Hamond*,	Major *Desborough*,
Sir *John Heydon*,	Dr. *Zouch*,	Col. *Ireton*,	Major *Hariſon*,
Sir *Tho. Gardner*,	*Tho. Chiſley*, Eſq;	Col. *Lambert*,	Mr. *Herbert*,
Sir *Geo. Binion*,	Mr. *John Dutton*,	Col. *Rich*,	Mr. *Waller*.
Sir *Rich. Willis*,	Mr. *Jeffrey Palmer*,	Col. *Harley*,	*Four more to be named afterwards.*
Sir *Ste. Hawkins*,	Mr. *Phil. Warwick*,	Scoutmaſter-Gen. *Watſon*,	
Col. *Goſnold*,	Capt. *Robert Mead*.		

Upon the receit of the Names of the *Oxford* Commiſſioners, Sir *Geo. Binion* was excepted, as being exempted from Pardon by the Parliament's Propoſitions.

A Treaty being reſolved and accepted on both Sides, and to begin *Monday* the 18*th*, Sir *Tho. Glenham* ſent to the General, deſiring, That in regard it was uſual at all Treaties to have a Secretary on each part, that Mr. *H. Daviſon*, his Secretary, might have a Paſs to come forth with their Commiſſioners, which was aſſented unto, and Mr. *William Clark* was appointed to aſſiſt the Commiſſioners on *Fairfax*'s part. The Commiſſioners on the behalf of the Governor and Gariſon of *Oxford*, made their Demands; which *Fairfax* ſent up to the Parliament by Col. *Rich*, and Scoutmaſter-General *Watſon*, Two of the Commiſſioners for the Treaty on his Excellency Sir *Tho. Fairfax*'s part; putting off the Treaty till the pleaſure of the Parliament was known concerning them. The Heads of ſome of the principal of them were theſe; *viz.*

Demands of the Gariſon.

1. To have liberty to ſend to the King, to know his Majeſty's pleaſure, whether they ſhall ſurrender or not.

2. That Prince *Rupert* and Prince *Maurice* have Protection to remain in any part

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part of this Kingdom; to have no Oath impoſed on them; to be at liberty to do as ſhall ſeem good unto them at any time hereafter:

3. The Governor, and all Officers and Soldiers, to march out in as full Equipage as any ſince theſe Wars; with Six Guns, Ten Barrels of Powder, and to have Thirty Days time to know the King's pleaſure how he will diſpoſe of them.

4. The Privy Seal and Great Seal to go to the King; and ſuch as theſe.

The Houſe of Commons, upon reading of them, conceived them ſo high, that they thought not fit ſo much as to debate them, but referred it to the General, in what way he thought fit to proſecute the reducing of that Place.

About *May* 24. was *Radcoat*-Houſe ſurrendred, after it had endured great Extremity by Granadoes; one whereof falling upon the Top of a Tower, made fearful work, rearing it into a thouſand pieces, and ſending it ſeveral ways; and at laſt falling into the Cellar, let out all their Beer. There were an hundred men in it, who were to go to their ſeveral Homes, leaving their Arms behind them.

General *Fairfax*, upon the aforementioned return from the Parliament, prepared Propoſitions to offer to the Gariſon, and ſent them into *Oxford* on *Saturday*, *May* 30. Whereupon the Treaty was renewed again; they ſubmitting therein (as themſelves ſaid) to the Fate of the Kingdom, rather than any way diſtruſting their own Strength, or the Gariſon's Tenableneſs.

Letters intercepted, going to the King.

During this Treaty, a Captain of the Gariſon of *Oxford* was taken (in a Fiſherman's Habit) carrying Letters to the King from Sir *Tho. Glenham* and Secretary *Nicholas*, relating the Condition of the Gariſon, and how long probably they could hold out.

A few days before the Treaty ended, when the Beſieged perceived it was like to ſucceed, they play'd with their Cannon day and night into our Leaguers and Quarters, diſcharging ſometimes near 200 Shots in a day at random as was conceived, rather to ſpend their Powder, than to do any great Execution; though they ſhewed good skill, in that they levelled their Pieces ſo, as that they ſhot into the Leaguer on *Hedington*-Hill (and on that ſide Lieutenant-Colonel *Cotſworth* was ſlain with a great Shot), and likewiſe into the Leaguer on Col. *Rainsborough*'s ſide, where they killed with their Shot a Sutler and others in their Tents. On the other ſide, the Cannon in recompence play'd fiercely upon the Town, and much annoy'd them in their Works and Colleges, till at laſt a Ceſſation of Great Shot was agreed to on both ſides.

A Ceſſation agreed on.

Articles for Surrender of *Oxford*, *Anno* 1646. *June* 20.

Articles of Agreement concluded and agreed, June *the* 20th, *by the Right Honourable Sir* Richard Lane, *Knt. Lord Keeper of the Great Seal of* England, Francis *Lord* Cottington, *Lord High Treaſurer of* England, William *Marqueſs of* Hertford, Edward *Earl of* Dorſet, *Lord Chamberlain of his Majeſty's Honourable Houſhold*, Thomas *Earl of* Southampton, Francis *Earl of* Chicheſter, Francis *Lord* Seymour, *Sir* Edward Nicholas, *Knt. one of his Majeſty's Principal Secretaries of State, all of them being of his Majeſty's moſt Honourable Privy Council*; *and Sir* Thomas Glenham, *Knt. and Governor of* Oxford, *on the one Party: And his Excellency Sir* Thomas Fairfax, *Knt. General of the Forces raiſed for the Parliament, on the other Party: For and concerning the Rendring of the Gariſon of* Oxford: *As followeth*;

1. THat the Gariſon of *Oxford*, with the Caſtle, Forts, Mounts, and Places of Defence whatſoever, with all the Ordnance, Arms, Ammunition, and Proviſions of War, with all Magazines, and Stores thereunto belonging, except what is allowed in the enſuing Articles, ſhall be delivered to the General, Sir *Tho. Fairfax*, or whom he ſhall appoint, without wilful Spoil or Imbezzlement, upon *Wedneſday* the 24*th* of this Inſtant *June*, 1646. at Ten of the Clock in the Morning, or thereabouts.

2. That his Highneſs the Duke of *York* ſhall have an Honourable Convoy to *London*, where other of his Majeſty's Children are, attended by his Officers and Servants, and fitting Accommodation for the Removal of his Houſhold and Goods thither, and ſhall have an Honourable Proviſion befitting his Dignity, appointed for him by the Parliament, and to remain there until his Majeſty's pleaſure be known touching his ſetling there, or elſewhere; and then to be

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be disposed accordingly to any place within Fourscore Miles of *London*, and shall have such Officers and Servants to continue about him, as the Parliament shall approve.

3. That their Highnesses Prince *Rupert* and Prince *Maurice* shall have liberty and Passes for themselves, with their Servants, Horses, Arms, and Goods, (the Number of their Horses for them and their Train not exceeding 70) to repair to any place within 50 Miles of *London*, so it be not within 20 Miles of *London*, without leave of the Parliament, nor in any Garison, and there to abide for the space of Six Months after the rendring, free from any molestation by Imposition of Oaths, or otherwise; and shall have Passes to go beyond the Seas at any time within the said Six Months, with their said Servants, Horses, Arms, and Goods; they engaging themselves upon their Honours not to use the liberty hereby granted in the mean time to any Hostility against the Parliament of *England* sitting at *Westminster*, or any way wilfully to the prejudice of their Affairs. And they are to have the benefit of such the ensuing Articles as may concern them.

4. That the Seals called the *Great Seal*, *Privy Seal*, *Signet*, and the *Seals* of the *Kings-Bench*, *Exchequer*, *Court of Wards*, *Dutchy*, *Admiralty*, and *Prerogative*, as also the *Sword of State*, shall at such time, and in the presence of Two such Persons as the General Sir *Tho. Fairfax* shall appoint, be lock'd up in a Chest, and left in the Publick Library. And if any of the aforenamed Particulars shall not be then accordingly produced, the default thereof shall not be charged upon any other person than such as hath the Custody thereof, and shall wilfully detain or imbezzle the same.

5. That Sir *Tho. Glenham*, Knt. Governor of *Oxford*, with his Servants, and all that to him belong, and all Officers and Soldiers of Horse and Foot, and of the Train of Artillery (as well Reformed Officers and Soldiers, as others) with their Servants, and all that pertain unto them, shall march out of *Oxon* with their Horses and compleat Arms, that properly belong unto them, proportionable to their present or past Commands, flying Colours, Trumpets sounding, Drums beating, Matches lighted at both ends, Bullet in their mouths, and every Soldier to have Twelve Charges of Powder, Match and Bullet proportionable, and with Bag and Baggage, to any place within Fifteen Miles of *Oxford*, which the Governor shall chuse; where such of the Common Soldiers as desire to go to their own Home, or Friends, shall lay down their Arms, which shall be delivered up to such as the General Sir *Thomas Fairfax* shall appoint to receive them. And all Officers and Soldiers, as well Reformed as others, that shall desire to go to their Homes or Friends, shall have the General's Pass and Protection for their peaceable Repair to, and Abode at the places where they shall desire to go to; and shall have Free Quarter allowed them in all their March from *Oxon* to those several places. And the Officers, as well Reformed as others, to pass with Equipage of Horses and compleat Arms, answerable to their present or past Commands: And Common Troopers with their Horses and Swords only, and all to pass with Bag and Baggage as aforesaid. And that all other Officers and Soldiers (in case there be any such) that shall desire to take Entertainment from any Foreign Kingdom or State, shall have Free Quarter allowed them for 28 days, from their March out of *Oxon*, and shall have Passes for their Officers (not exceeding Ten) with their Horses and Two Servants apiece, to go to *London*, to treat with any Foreign Ambassador or Agent for Entertainment; and all of them shall have liberty and Passes to march (the Officers with their compleat Arms and Horses, proportionable to their present or past Commands, and the common Soldiers with their Arms, and all with Bag and Baggage) to the Quarters near to *Harwich* or *Portsmouth*, or to any Port between them, to be transported; which Arms (except Officers compleat Arms, Horses, and Swords for the common Soldiers, which they may transport) they shall there lay down, and deliver to such as the General shall appoint, or unto the Governor of the next Garison belonging to the Parliament, who shall take care for their Safety during their abode there, and until Shipping can be provided, and Weather seasonable; they paying for their Quarter after the said 28 days expired; and shall assist them for procuring Vessels and Ships for their Transportation, at the usual Rate, and accustomed for Freight; the Officers, Soldiers, and others, before

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Tranſportation, engaging themſelves by promiſe not to return into this Kingdom in Hoſtility againſt the Parliament, in Bodies as they go, or in conjunction with other Forces, or in command of any Forces invading this Kingdom. And no Oath or other Engagement of this or the like nature, to be during their ſaid ſtay, or at their Tranſportation, impoſed upon them, ſaving an Engagement by promiſe not to do any Act of Hoſtility, or of wilful prejudice againſt the Parliament, during their ſaid ſtay in *England*. And it is declared, That thoſe of the Three Auxiliary Regiments, conſiſting of Gentlemen and their Servants, Scholars, Citizens, and Inhabitants, who are not properly of the Gariſon in Pay, and ſuch Reformed Officers and Soldiers who ſhall not be willing to march forth, ſhall have the benefit of the enſuing Articles in all things, except for remaining in *Oxford*.

6. That the Governor ſhall be allowed and aſſiſted in the procuring a ſufficient number of Carts, Teams, Boats, and other Neceſſaries, for the carrying away all Goods allowed in theſe Articles, belonging to any Officers or Perſons of Quality now reſiding in the Gariſon, they paying the accuſtomed Rates. And that ſuch perſons as cannot preſently, through want of Carriages, or otherwiſe, convey them away, ſhall be aſſiſted with Carriages at any time within Three Months for the diſpoſing thereof.

7. That no Officer nor Soldier, nor any perſons whatſoever, comprized in this Capitulation, ſhall be reproached, nor have any diſgraceful Speeches or Affronts offered to them, or be ſtopp'd, plunder'd, or injur'd in their March, Rendezvouz, or Quarters, Journeys, or Places of Abode; and if any ſuch thing ſhall fall out, Satisfaction ſhall be given at the Judgment of any Two or more of the Commiſſioners, they being equal in number of each Party: Nor ſhall the perſons aforeſaid, nor any of them, be inticed or compelled to take up Arms againſt the King; nor be impriſon'd, reſtrain'd, ſued or moleſted, for any matter or cauſe whatſoever, before the rendring of the Gariſon, be it of publick or private Intereſt, during Six Months after the rendring thereof. And if any Officer, Soldier, or perſon be ſick or wounded, that at preſent they cannot enjoy the benefit of theſe Articles, That ſuch perſons ſhall have liberty to ſtay till they ſhall be recovered, and fit Accommodation and Subſiſtence ſhall be provided for them during their ſtay, and then to enjoy the benefit of theſe Articles.

8. That all Horſes, Arms, Money, and other Goods whatſoever, taken as lawful Prize of War before or during the Siege, and now remaining in the City, be continued in the Poſſeſſion of the preſent Poſſeſſors.

9. That theſe Articles ſhall extend to the uſe and benefit of all Strangers of any Foreign Kingdom or State reſiding within this Gariſon, together with their Wives, Children, Servants, Horſes, Arms, Goods, Money, and Debts.

10. That all perſons included within theſe Articles (without exception of any other than the Soldiers that are to march out upon the Fifth Article) ſhall have liberty during the ſpace of Three Months after the rendring of the Gariſon, either to remain in *Oxford*, or to remove themſelves, with their Families, Goods, Horſes, and all things that properly belong to them, or to their diſpoſition: And all Noblemen, Gentlemen, and Perſons of Quality, with their Arms, or other Equipage, to their Houſes or Friends, without any prejudice to their Friends for receiving them.

11. That all Lords, Gentlemen, Clergymen, Officers, Soldiers, and all other perſons in *Oxon*, or comprized within this Capitulation, who have Eſtates Real or Perſonal, under or liable to Sequeſtration, according to Ordinance of Parliament, and ſhall deſire to compound for them (except Perſons by Name excepted by Ordinance of Parliament from Pardon) ſhall at any time within Six Months after rendring the Gariſon of *Oxford*, be admitted to compound for their Eſtates: Which Compoſition ſhall not exceed Two Years Revenue for Eſtates of Inheritance; and for Eſtates for Lives, Years, and other Real and Perſonal Eſtates, ſhall not exceed the Proportion aforeſaid for Inheritances according to the Value of them: And that all perſons aforeſaid, whoſe Dwelling-Houſes are ſequeſtrated (except before excepted) may after the rendring of the Gariſon, repair to them, and there abide, convenient time being allow'd to ſuch as are placed there under the Sequeſtration, for their Removal.

And it is agreed, That all the Profits and Revenues ariſing out of their Eſtates

Eſtates (after the day of entring their Names as Compounders) ſhall remain in the hands of the Tenants or Occupiers, to be anſwered to the Compounders when they have perfected their Agreements for their Compoſitions; and that they ſhall have liberty and the General's Paſs and Protection for their peaceable repair to, and abode at their ſeveral Houſes or Friends; and to go to *London* to attend their Compoſitions, or elſewhere, upon their neceſſary occaſions; with Freedom of their Perſons from Oaths, Engagements, and Moleſtations, during the ſpace of Six Months; and after, ſo long as they proſecute their Compoſitions, without wilful default or neglect on their part, except an Engagement by promiſe not to bear Arms againſt the Parliament, nor wilfully do any Act prejudicial to their Affairs, ſo long as they remain in their Quarters. And it is further agreed, That forthwith after their Compoſitions made, they ſhall be forthwith reſtored to, and enjoy their Eſtates, and all other Immunities, as other Subjects do, together with their Rents and Profits from the time of entring their Names, diſcharged of Sequeſtrations, and from Fifth and Twentieth Parts, and other Payments and Impoſitions, except ſuch as ſhall be general, and common to them with others. 22 *Caroli.*

12. That no Lords, Gentlemen, Clergymen, Scholars, Officers, Soldiers, Citizens, nor any other perſons included in this Capitulation (except the perſons mentioned before to be excepted from Pardon) ſhall have the benefit of this Article during the ſpace of Six Months from the rendring of the Gariſon, and after, if they be admitted to, and agree for their Compoſitions.

13. That the Perſons mentioned before to be excepted from Pardon, ſhall have liberty, and the General's Paſs and Protection for themſelves, Families, Horſes, Goods, and all other things that properly belong unto them, now in *Oxford*, to go into, and abide at their own Houſes or their Friends, for the ſpace of Six Months after the rendring of the Gariſon; and within that time to repair to *London*, to endeavour Compoſition for their Eſtates, and Indemnity of their Perſons, and to make their Peace; and if they cannot obtain it, ſhall have Paſſes to go beyond the Seas at any time within the ſaid Six Months; and that no other Engagement ſhall be put upon them, ſave by promiſe not to bear Arms againſt the Parliament, nor wilfully do any Act prejudicial to their Affairs, ſo long as they remain in their Quarters.

14. That the Chancellor, Maſters, and Scholars of the Univerſity of *Oxon*, and the Governors and Students of *Chriſt-Church*, of King *Henry* the Eighth's Foundation, and all other Heads, and Governors, Maſters, Fellows, and Scholars of the Colleges, Halls, and Bodies Corporate, and Societies of the ſame Univerſity, and the Publick Profeſſors and Readers, and the Orator thereof, and all other perſons belonging to the ſaid Univerſity, or to any College or Hall therein, ſhall and may, according to their Statutes, Charters, and Cuſtoms, enjoy their Ancient Form of Government, ſubordinate to the mediate Authority and Power of Parliament. And that all the Rights, Privileges, Franchiſes, Lands, Tenements, Houſes, Poſſeſſions, Rents, Revenues, Hereditaments, Libraries, Debts, Goods and Chattels belonging to the ſaid Univerſity, or to *Chriſt-Church*, or to any Colleges or Halls in the ſaid Univerſity (except ſuch Rents and Revenues as have been already taken by Ordinance of Parliament) ſhall be enjoyed by them reſpectively as aforeſaid, free from Sequeſtrations, Fines, Taxes, and all other Moleſtations whatſoever, for or under colour of any thing whatſoever, relating to this preſent War, or to the unhappy Differences between his Majeſty and the Parliament. And that all Churches, Chappels, Colleges, Halls, Libraries, Schools, and Publick Buildings within or belonging to the City or Univerſity, or to *Chriſt-Church*, or the ſeveral Colleges or Halls thereof, ſhall be preſerved from defacing and Spoil. And if any Removal ſhall be made by the Parliament of any Head or other Members of the Univerſity, *Chriſt-Church*, Colleges, or Halls, that thoſe ſo removed ſhall enjoy their Profits during the ſpace of Six Months after the rendring of *Oxon*; and ſhall have convenient time allowed them for removal of themſelves and their Goods, from their Lodgings. Provided, That this ſhall not extend to retard any Reformation there intended by the Parliament, or give them any liberty to intermeddle in the Government.

15. That the Mayor, Bayliff, and Commonalty, and all Corporations within the City, ſhall enjoy their Ancient Government, and their Charters, Cuſtoms,

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ſtoms, Franchiſes, Liberties, Lands, Goods, and Debts, and all things elſe whatſoever, which belong to them as Corporations, ſubordinate to the immediate Authority and Power of Parliament; and ſhall not be moleſted or queſtioned by colour of any thing, before the rendring of this Gariſon, done or ordered by them in the capacity of Corporations, relating to the Differences between his Majeſty and the Parliament.

16. That the Citizens and Inhabitants of the City ſhall not be charged with Free Quarter, or Billet of Soldiers, other than for Lodging (except in urgent time of neceſſity) and that to be order'd and diſpoſed by the Advice of the Mayor or his Deputy; and that in all publick Taxes they ſhall be charged proportionably with the County. And that no Scholar, Citizen or Inhabitant in the Univerſity and City of *Oxford*, ſhall be troubled or queſtioned for taking up Arms in the Gariſon by expreſs Command, during the time it was a Gariſon, for the Defence thereof. And that the Scholars, Citizens and Inhabitants ſhall have the benefit of this Capitulation in all things that may concern them.

17. That no Officer, Soldier, or other perſon, who by the Articles are to march out of the City or Suburbs, or to march in, ſhall plunder, ſpoil or injure any Scholar, Citizen, Inhabitant, or other perſon in *Oxford*, in their Perſon, Goods, or Eſtate, or carry away any thing that is properly belonging to any of them.

18. That all Ladies, Gentlewomen, and other Women now in *Oxon*, whoſe Husbands or Friends are abſent from thence, may have Paſſes and Protection for themſelves, Servants, and Goods, to go to and remain at the Houſes of their Husbands, or at their Friends, as they ſhall deſire, and to go or ſend to *London*, or elſewhere, to obtain the Allowances out of their Husbands or Parents Eſtates, allotted them by Ordinance of Parliament.

19. That ſuch of his Majeſty's Houſhold-Servants who ſhall deſire to go to his Majeſty, may have free liberty and Paſſes to go accordingly at any time within one Month next after the rendring of the Gariſon; and that his Majeſty's Houſhold-Stuff, and other his peculiar Goods, which are now in *Oxford*, may be carried to his Majeſty's Houſe at *Hampton-Court*. And his Servants under whoſe Charge or Cuſtody any of them are, ſhall be allowed and aſſiſted in the procuring of Carts, Boats and Carriages, for the removal of them thither, and there to remain till his Majeſty ſhall otherwiſe diſpoſe of them; and then to be ſent or diſpoſed accordingly. And that ſuch of his Majeſty's Servants who are not able for the preſent to go to him, ſhall have liberty, Paſſes, and Protections to go to, and remain at his Majeſty's ſaid Houſe at *Hampton-Court*, and have liberty to attend the Committee for his Majeſty's Revenue, to procure a competent Allowance out of his Majeſty's Revenues for their Subſiſtence, until his Majeſty ſhall otherwiſe provide for, or diſpoſe of them.

20. That all Clergymen now in *Oxford*, who ſhall not upon Compoſition or otherwiſe be reſtored to their Church-Livings, ſhall have liberty to go to *London* to obtain ſome fitting Allowance for the Livelihood of themſelves and their Families.

21. That it is intended, declared, and agreed, That all perſons comprized within theſe Articles, ſhall peaceably and quietly enjoy all their Goods, Debts, and Moveables, allowed by theſe Articles, during the ſpace of Six Months after rendring the Gariſon: And that they ſhall be free from all Oaths, Engagements, and Moleſtations, except an Engagement by promiſe not to bear Arms againſt the Parliament, nor wilfully do any Act prejudicial to their Affairs, ſo long as they remain in their Quarters; and that they ſhall have liberty within the ſpace of Six Months (in caſe they ſhall be reſolved to go beyond Seas) to diſpoſe of their Goods, Debts, and Moveables, allowed by theſe Articles, and depart the Kingdom, if they think fit, and to have Paſſes for their Tranſportation, or otherwiſe to ſtay in the Kingdom.

22. That if any of theſe Articles ſhall in any point be broken or violated by any perſon or perſons in *Oxford*, or comprized within this Capitulation, the fault and puniſhment ſhall be upon him or them only who made the Breach or Violation, and ſhall not be imputed to, or charged upon any other not aſſenting thereunto, or not an Actor in it.

23. That the Duke of *Richmond*, the Earl of *Lindſey*, and their Servants that came forth with them, ſhall enjoy the Benefit of theſe Articles, in whatſoever may concern them.

24. That

22 *Caroli.*

24. That the Gariſons of *Farringdon* ſhall be rendred to his Excellency Sir *Tho. Fairfax*; and the Governor, Gentlemen, Soldiers, and all other, of what Quality ſoever, within thoſe Gariſons, ſhall enjoy the Benefit of theſe Articles, in every Particular which may concern them, they rendring the Gariſon accordingly as *Oxford*.

25. That all perſons comprized in theſe Articles ſhall (upon Requeſt) have a Certificate under the hand of his Excellency Sir *Tho. Fairfax*, or the future Governor of the City, That ſuch perſons were in the City at the time of the Surrender thereof, and are to have the benefit of theſe Articles.

26. That the General Sir *Tho. Fairfax* ſhall give a Paſs to one or two Meſſengers with their Servants to go unto the King, to give him an account of the Proceedings upon this Treaty, and Concluſion thereof, and to return and receive the benefit of theſe Articles.

The Surrender of *Oxford*, *June* 24.

Accordingly, on *Wedneſday*, *June* 24. the City of *Oxford* was ſurrendred, about 2000 of the Gariſon marching out well arm'd, with Colours flying, and Drums beating, beſides Officers. But before that, on *Monday* Prince *Rupert* and Prince *Maurice*, and divers Gentlemen of Quality, to the number of about 300, left the City, and took their way towards *Guildford* in *Surry*, but came as near *London* as *Oatlands*; which the Two Houſes ſeemed offended at, as contrary to the Articles, and ſent them an Expoſtulatory Letter thereupon, and requiring them forthwith to repair to the next convenient Port-Town, there to endeavour their Tranſportation within Ten Days; which if through their neglect were not done in that time, that then they ſhould loſe the benefit of the Articles: Whereunto the Princes returned a Complemental Anſwer, excuſing themſelves from any ill Intentions, and expreſſing their willing Compliance with what was required, by the firſt opportunity. And the Prince Elector deſiring leave to viſit his Brothers, the ſame was granted; and ſome time after, Prince *Rupert* and Prince *Maurice*, with ſeveral Gentlemen and other Attendants, took ſhipping at *Dover*, and went into *France*, whither his Highneſs the Prince of *Wales* was alſo retired from the Iſle of *Jerſey*, being honourably received at his Landing, and conducted to the Queen his Mother at St. *Germains*, about the beginning of *July*. And his Highneſs the Duke of *York* was brought up from *Oxford* to St. *James's*.

The Prince of *Wales* goes into *France*.

The Duke of *York* brought to St. *James's*.

A great number of Gentlemen and others, after the Surrender of *Oxford*, ſtay'd for ſome time, till they could procure Paſſes; of which there were in a very few days ſign'd to the number of 2000 or upwards. There were found in the Magazine 70 Barrels of Powder, beſides Two Mills which ſupplied them daily; 38 Pieces of Ordnance, whereof 26 Braſs; and pretty good ſtore of Salt Proviſions.

On *Friday*, *July* 3. Mr. *Herbert*, one of the Commiſſioners of the Army brought up and preſented to the Houſe of Commons the ſeveral Seals taken at *Oxford*; *viz.* The Great Seal of *England*, that was carried away thither in 1642. the Privy-Seal, the Signet-Royal, the Seal of the *King's-Bench*, the Seal of the *Exchequer*, the Seal of the *Court of Wards*, the Seal of the *Admiralty*, and the Sword of State: Which being brought into the Houſe, it was ordered, That the Seals ſhould be broken in pieces: And ſome time after, *viz. Aug.* 11. the Great Seal, the Seal of the *Court of Wards*, of the *Prerogative-Court*, and of the *High-Commiſſion*, were by a Smith broken to pieces at the Bar of the Lords Houſe, the whole Houſe of Commons being preſent: And it was ordered, That the Silver thereof ſhould be given to the Speakers of the Two Houſes: But the Privy Signet, and another little Signet, were ordered to be laid up, and the Sword to be repoſited in the Wardrobe.

The Great Seal, *&c.* broken to pieces, *Aug.* 11. 1646.

During the Siege of *Oxford*, after the Surrender of *Banbury-Caſtle*, Col. *Whaley* was ſent with ſome Troops of Horſe to Blockade *Worceſter*; and Col. *Morgan*, who was till ſuch time attending that Service with the *Glocesterſhire* Forces, was ordered by General *Fairfax* to *Ragland*, to Command in Chief ſuch Forces as ſhould be employed for reducing of that Place, if upon the Summons ſent into *Worceſter*, that City would not Treat; which accordingly happening, the Royal Party in *Worceſter* returning a Reſolute Anſwer, and making higher Demands than were granted to *Oxford*, Col. *Morgan*, according to his Orders, marched

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marched to *Ragland*; and Col. *Whaley*, together with the Forces of *Worceſterſhire*, *Shropſhire*, and ſome Aſſiſtance from *Newport-Pagnel*, *Warwick*, and *Northampton*, continued before *Worceſter*; but wanting Foot for a regular Siege, Col. *Rainsborough*, after the yielding of *Oxford*, was ſent thither with a Brigade, and drew them cloſe up to the City's Works; and in Two or Three Nights raiſed a Work which much incommoded the Beſieged. In the mean time the Governor ſent out the following Letter to *Whaley*.

Col. *Waſhington*'s Letter for a Parley, for the Surrender of *Worceſter*, *June* 27.

SIR,

UPon the Overture of a Treaty from you, the Intelligence I received of the Delivery of *Oxford*, and the ſight of his Majeſty's Letter there printed, for the Surrender of this Gariſon (amongſt others) upon honourable Terms, I conceive my ſelf now made capable to entertain a Treaty: Therefore in order thereunto I have named the Gentlemen under-written, to meet with thoſe that are or ſhall be nominated by you for that purpoſe. And inſtead of Hoſtages, I am contented to take your Engagements of Honour under your hands, for the ſafe Conduct of theſe Gentlemen, and their neceſſary Attendants. To-morrow, being *Sunday*, unfit for Buſineſs, I leave the Time and Place to your Appointment. *Your Servant*,

Worceſter, *June* 27. 1646. Henry Waſhington.

For the Soldiery, Sir *Robert Leigh*, Sir *Jordan Croſland*, Sir *William Bridges*, Mr. *Ralph Goodwin*.

For the City, *Four Citizens*.

For the Clergy, Dr. *Dove*, and Dr. *Warmſtrey*.

Which being accepted by the Beſiegers, they appointed Commiſſioners for the Soldiery and City, Col. *Bridges*, Col. *Dingley*, Col. *Star*, Col. *Liggon*, Col. *Beſworth*, Major *Fines*, Lieutenant-Col. *Turkington*, and Major *Hungerford*.

For the Gentry, Sir *Tho. Rous*, Mr. *Leſmore*, Mr. *Hunt*, and Mr. *Moor*.

And for the Miniſtry, Mr. *Moor* and Mr. *Baxter*.

However, this Overture did not quickly ſucceed, but after ſome time the Treaty being renewed, was concluded upon the Articles enſuing.

Articles for Surrender of *Worceſter*, *July* 19.

Articles of Agreement for the Surrender of the City of Worceſter, *and the Forts belonging thereunto, concluded* July 19. 1646. *between Col.* Tho. Rainsborough *on the behalf of his Excellency Sir* Tho. Fairfax, *General of the Forces raiſed by the Parliament, and Col.* Henry Waſhington, *Governor of* Worceſter.

1. THat the City of *Worceſter*, with all Forts, Ordnance, Arms, Ammunition, Stores, and Proviſion of War thereunto belonging, ſhall be delivered without wilful Spoil and Imbezzlement, unto his Excellency Sir *Tho. Fairfax*, or unto ſuch as he ſhall appoint to receive them, upon the 22*d* of this Inſtant *July*, at Ten of the Clock in the Morning, in ſuch manner, and with ſuch Exceptions as are contained in the enſuing Articles.

2. That on the 23*d* of *July*, the Governor and all Officers and Soldiers of the Gariſon, with all other perſons therein that will, ſhall march out of *Worceſter*, with their Horſes, Arms, and Baggage belonging to them, to any place within one Mile of *Worceſter*, which the Governor ſhall chuſe, where all their Horſes and Arms, except what is allowed in the enſuing Articles, ſhall be delivered up to ſuch as his Excellency Sir *Tho. Fairfax* ſhall appoint. All the Soldiers ſhall be diſbanded; and all ſuch, both Officers, Soldiers, and others, as ſhall engage themſelves by promiſe never to bear Arms any more againſt the Parliament of *England*, nor do any thing wilfully to the prejudice of their Affairs, ſhall have the benefit of theſe enſuing Articles.

3. That all ſuch as ſhall deſire to go to their own Homes, or private Friends, ſhall have the General's Paſſes and Protection for their peaceable Repair to their ſeveral places they ſhall deſire to go unto; the Governor to paſs with all Horſes, Arms, and Baggage properly belonging to him; and each Colonel to paſs with Three Horſes, and each Lieutenant-Colonel and Serjeant-Major with Two Horſes; each Captain, Lieutenant, and Cornet with One Horſe; and every perſon not under the degree of an Eſquire, with Three Horſes; and all of them with their Arms and Goods properly belonging to them, to be

be carried on their Horſes; and all Soldiers with their Swords and ſuch Baggage as properly belong to them, which they carry about them.

4. That all perſons which are to have the benefit of the preceding Articles, ſhall, if they deſire it, have Paſſes to go beyond Seas, provided they depart this Kingdom within Two Months after the Surrender of the Town.

5. That the City and Gariſon of *Worceſter*, and all the Inhabitants thereof, ſhall be preſerved from all Plunder and Violence of the Soldiers.

6. That Sir *William Ruſſel*, now reſiding in *Worceſter*, be excepted from any benefit of theſe Articles.

Signed and Sealed, July 19. 1646. *Hen. Waſhington.*

When the forementioned Forces were ſent to *Worceſter*, the General's Regiment with Col. *Lilburn* were ſent to aſſiſt thoſe before *Wallingford*; by whoſe Acceſſion the Siege being ſtrengthened, preſently a Summons was ſent into the Caſtle; but no good could be done, till *Fairfax* drawing a conſiderable part of his Army that way, the Governor ſent him the following Letter.

SIR,

I Never intended to keep this Place for my ſelf, but for his Majeſty's Service, which ſhall never ſuffer for my Default: But if you pleaſe to give my ſelf and thoſe that are with me ſuch Conditions as ſhall become Perſons of Honour in this Place to receive, I ſhall ſend ſuch Propoſitions as we ſhall conceive fit, by theſe Officers under-written, to any place you ſhall appoint, within Three Miles of this Gariſon, to meet as many of yours, having ſafe Conduct for their Paſſage and Return: And during this Treaty ſhall leave it to your choice to have Hoſtility or a Ceſſation. I ſhould never have thought of treating with any, were my Condition much worſe than it's like to be this Twelvemonth, had I not Aſſurance of your Honour in making, and your Power in defending the Conditions you have made. Wherefore upon Honourable Terms you may have the ſtrongeſt Fort in *England*, from,

SIR, *Your Humble Servant*,

June 27. 1646. Tho. Blage.

The Governor's Commiſſioners named, were, Col. Sir *Herbert Lunsford*, Lieut. Col. *Weſton*, Lieut. Col. *Perkins*, Capt. *Cheſter*, Capt. *Stephens*, and Mr. *Hull*.

The Perſons appointed by General *Fairfax* to meet them, and receive his Propoſitions, were Col. *Robert Lilburn*, Col. *Barkſtead*, Col. *Jackſon*, and Mr. *Blundel*. But the Propoſitions ſeemed ſo high to *Fairfax*, that he would not Treat upon them, but returned word he would ſend Propoſitions, ſuch as were fit for them in the capacity they were. And then the Governor ſent out the following Letter to *Fairfax*'s Commiſſioners.

Gentlemen,

I Received your General Sir *Tho. Fairfax*'s Letter, with another of yours: he ſays he is preparing Propoſitions in Anſwer to mine: If they like me, I ſhall accept them; if not, you ſhall be ſure to have my Anſwer at a Quarter of an Hours warning. But your Army being within a days march of *Wallingford*, forceth me to Guards within the Town; which (you know) I intend not to keep, but to fire it: Therefore I deſire there may be a Ceſſation till either the Treaty is concluded or broken off: For which purpoſe I ſhall ſend my Commiſſioners to morrow to Treat with you concerning the Time and Manner of the Ceſſation; that mutual Engagements of Honour may be given on both Sides; which inviolably ſhall be obſerved on his part, who is,

Wallingford, *July* 2. 1646. *Your Servant*, Tho. Blage.

Accordingly a Ceſſation was agreed on, and the Treaty proceeded; which after long Debate, reſulted into theſe Articles for ſurrendring of the Caſtle.

Articles of Agreement concluded and agreed by his Excellency Sir Tho. Fairfax, *Knt. General of the Forces raiſed by the Parliament, on the one Party; and Col.* Tho. Blage, *Governor of* Wallingford, *on the other Party: For and concerning the rendring of the Gariſon of* Wallingford, *Caſtle and Town*, July 22. 1646.

1. THat the Caſtle and Town of *Wallingford*, with all the Ordnance, Arms, Ammunition, Stores, and Proviſions of War thereunto belonging, ſhall be delivered up without wilful Spoil or Imbezzlement, unto his Excellency

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2. That on the ſaid 29*th* day of *July*, the Governor, and all Officers and Soldiers of the Gariſon, with all other perſons therein (that will) ſhall march out of *Wallingford* with their Horſes and Arms properly belonging to them (proportionable to their preſent or paſt Commands or Employments) with flying Colours, Trumpets ſounding, Drums beating, Matches lighted at both ends, Bullet in their mouths, and every Soldier Twelve Charges of Powder, Match and Bullet proportionable, with one Piece of Ordnance, with Equipage, and with Bag and Baggage, to any Place within Ten Miles of *Wallingford*, which the Governor ſhall chuſe; where (in regard his Majeſty hath no Gariſon left open, nor Army near) all their Horſes and Arms, except what are allowed in the enſuing Articles, ſhall be delivered up to ſuch as his Excellency Sir *Tho. Fairfax* ſhall appoint; all the Soldiers ſhall be disbanded, and all ſuch, both Officers, Soldiers, and others, as ſhall engage themſelves by Promiſe never to bear Arms againſt the Parliament, nor to do any thing wilfully to the prejudice of their Affairs, during their Abode in the Parliament's Quarters, ſhall have the benefit of the enſuing Articles: That is to ſay,

3. That all ſuch as ſhall deſire to go to their Homes, or private Friends, (who ſhall not be prejudiced for receiving them) ſhall have the General's Paſs and Protection for their peaceable Repair to, and Abode at the ſeveral places they ſhall ſo deſire to go unto: The Governor, Officers, and Gentlemen, to paſs with Equipage of Horſes and Arms, anſwerable to their preſent and paſt Commands or Qualities, and all both Officers, Soldiers, and others, to paſs with Bag and Baggage, and the Troopers only with their Swords, and their Bag and Baggage.

4. That all ſuch (if there be any) who ſhall deſire to take Entertainment for Foreign Service, ſhall have Paſſes for their Officers (not exceeding Four) with their Horſes and Two Servants apiece, to go to *London*, to Treat with any Foreign Ambaſſador or Agent for Entertainment; and all of them ſhall have Liberty and Paſſes to march (the Officers with Equipage of Horſes and Arms properly their own, and anſwerable to their preſent and paſt Commands, the Common Soldiers with their Swords, and all with Bag and Baggage) to the Quarters near unto *Harwich* and *Southampton*, or to any Port between them, to be tranſported; where they ſhall be aſſiſted in the procuring of Veſſels and Shipping for their Tranſportation, at the uſual Rates accuſtomed for Freight, by the Governor of the next Gariſon, Port, or Town, who ſhall alſo take care for their Safety, and Accommodation with Quarters, until Shipping be provided, and Weather ſeaſonable, they paying for the ſame after 28 days from the Render.

5. That all the Perſons now in *Wallingford* (not being of the Soldiery of the Gariſon) ſhall have liberty and Protection for their Perſons and Goods to ſtay in the Town of *Wallingford* one Month after the rendring, if they deſire it, and then to have the General's Paſs and Protection, as others going out at the rendring, upon the like Engagement: And that any perſon whatſoever (who being ſick or wounded cannot at preſent remove) ſhall have liberty to ſtay till they be recovered, or able to go away; and ſhall have fit Accommodation and Subſiſtence provided for them during ſuch their ſtay, and then ſhall enjoy the benefit of theſe Articles.

6. That no perſon whatſoever comprized in this Capitulation, ſhall be reproached, reviled, affronted, plunder'd or injur'd in their March, Rendezvouz, or Quarters, Journeys, or Places of Abode, by theſe Articles allowed; nor ſhall be compelled to bear Arms, nor be impriſoned, reſtrained, ſued, moleſted, or damnified, for any matter whatſoever of publick or private Concernment, relating to the preſent War, the matter or grounds thereof, ariſing before the rendring of the Gariſon, during the ſpace of Six Months after the rendring thereof; nor be compelled to take any Oaths, or other Engagement than what is mentioned in the ſecond Article, during the time of Six Months; and to have liberty during the ſaid time to travel about their lawful Affairs.

7. That all Horſes and other Goods now in *Wallingford*, taken as lawful Prize of War, or properly belonging to the Governor or Officers of the Gariſon,

riſon, before or during the Siege, ſhall be continued in the poſſeſſion of the preſent Poſſeſſors, except ſuch as are to be delivered up by the Tenor of theſe Articles. 22 *Caroli.*

8. That ſuch Houſhold ſtuff and Goods now in *Wallingford*, as ſhall appear to the General, or ſuch as he ſhall depute for that purpoſe, to have been borrowed by any Officer or Gentleman in the Gariſon, for their uſe and accommodation in the Gariſon, ſhall be reſtored back to the Owners.

9. That if any perſon or perſons ſhall wilfully violate theſe Articles in any part, the Guilt thereof ſhall be imputed to ſuch perſon or perſons only, and ſhall not prejudice any other, not acting or conſenting to the ſame.

10. That the Governor and Three more ſuch Officers and Gentlemen as he ſhall name, ſhall have Paſſes from the General for themſelves, with Two Servants apiece, their Horſes, Swords, Piſtols, and Neceſſaries, to go to the King to give him an Account of the ſaid Gariſon, and to return to their Homes or Friends; and that Five Weeks ſhall be allowed for this Journey, which ſhall not be reckoned any part of the Six Months mentioned in the Sixth Article, but he and they ſhall be allowed Six Months after the end of the ſaid Five Weeks.

11. That no Officer, Soldier, or other perſon, who by the Articles are to march out of the Caſtle or Town of *Wallingford* (or ſhall march in) ſhall plunder, ſpoil, or injure any Inhabitant or other perſon therein, in their Perſons, Goods, or Eſtates, or carry away any thing that is properly belonging to any of them.

12. That all perſons comprized within theſe Articles, ſhall peaceably and quietly enjoy all their Goods, Debts, and Moveables, and to depart the Kingdom with the ſame, as they ſhall think fit and deſire; and ſhall have Paſſes from his Excellency for their Tranſportation accordingly.

13. That all perſons comprized in theſe Articles ſhall upon Requeſt have a Certificate under the hand of the General, or ſuch as he ſhall appoint, That ſuch perſons were in the Town and Caſtle of *Wallingford* at the time of the Rendring thereof, and are to have the benefit of theſe Articles.

14. That the Townſmen and Inhabitants of the Town of *Wallingford* ſhall not be troubled or queſtioned for any thing ſaid or written by any of them, nor the Corporation thereof prejudiced for any thing done by any of them by expreſs Command ſince it was a Gariſon; and that they ſhall have the benefit of theſe Articles in all things that may concern them.

Tho. Fairfax.

After the Articles were ſigned and ſealed, and the day of Surrender agreed upon, a Party of Officers and Soldiers, upon ſome diſcontent, mutinied againſt the Governor; and dividing themſelves from the reſt, came in a threatning way, preſenting their Muſquets at him, if they might not have their Wills and Demands granted; whereupon the Governor was neceſſitated privately to ſend for the Paſſes, and to deliver the Caſtle a day ſooner than intended; and Lieut. Col. *Jackſon* was enforced to draw in his Regiment into the Town, between the Two Parties (the Mutiniers and the Governor's Party) to enforce an orderly delivery of the Gariſon. The Government of this Gariſon was by *Fairfax* committed to Adjutant-General *Evelyn*.

The Siege of *Ragland.*

Next followed the Reduction of *Ragland*, a ſtrong Caſtle in *Wales*, Gariſon'd for the King, under the Marqueſs of *Worceſter*, whoſe proper Houſe it was, being ſituated very conveniently to command all parts of *South-Wales*. It had been ſtreightned by ſome Forces of Sir *Trevor Williams*, and Major-General *Langhorn*, before Col. *Morgan* was ordered thither from *Worceſter* to Command in Chief, who had but 1500 men firſt, and the Gariſon conſiſted of 800, who made divers gallant Sallies, and in one kill'd a Cornet of *Morgan's*, and carried away the Colours: But after the Rendition of *Oxford*, *Morgan* being reinforced with 2000 men, ſent in the following Summons.

Col. *Morgan's* Summons to *Ragland*, *June* 28.

My Lord,

BY his Excellency's Command, this is my Second Summons, whereby you are required forthwith to deliver to me to the uſe of both Houſes of Parliament, the Caſtle of *Ragland*, with all Ordnance, Arms, Ammunition, and

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and Provisions, and all other Necessaries that belong to War, that are now in it; which if you will be pleased to do, you may haply find Mercy, as other Garisons have had; and if you do refuse, expect but the Ruin of your self, your Family, and this poor distressed Country. For I must acquaint your Lordship, That his Excellency Sir *Tho. Fairfax* having now finish'd his Work over the Kingdom, except this Castle, hath been pleased to spare his Forces for this Work, which are now upon their March this way with all Materials fit for it; though I made no doubt but I had of mine own strength sufficient to effect it. If your Lordship will deny to submit to this Summons, and that more Blood must be spilt, your Lordship may be confident that you shall receive no Favour from both Houses of Parliament. So expecting your Answer this Night by Nine of the Clock, I rest,

From the Leaguer before Ragland, *June* 28. 1646.

Your Lordship's Servant,
Tho. Morgan.

Upon the Faith and Honour of a Soldier, this is a True Copy of his Majesty's Letter to the Governor of Oxford, Litchfield, Wallingford, *and* Worcester, *and all other Garisons in* England *and* Wales; *which I thought fit to present to your Lordship, that you may clearly see what probability of Relief you are like to have.*

The Marq. Answer.

SIR,

I Have received this day Two Advertisements from you; the first I did read, containing, as you would have me believe, a true Copy of his Majesty's Warrant to several Garisons upon Honourable Terms to quit, &c. But truly, Sir, it is not in the power of man to make me think so unworthily of his Majesty, That to one, in the opinion of the World that hath given himself and Family so great a Remonstrance and Testimony of his and their Faith and Fidelity towards him, that he would not please so much as to name his Name, or *Ragland:* I intreat you give me leave to suspend my belief. And for your second Summons, it makes it too evident, that it is desired that I should dye under an Hedge like a Beggar, having no House left to put my Head into, nor means left to find me Bread. Wherefore to give you Answer, I make choice (if it so please God) rather to dye Nobly, than to live with Infamy: Which Answer if it be not pleasing unto you, I shall not think you worthy to be stiled by me

From my House at Ragland, *June* 28. 1646.

Your Loving Friend and Servant,
H. Worcester.

Morgan's Second Letter.

My Lord,

SInce it is not in my power to make you nor your Son believe any thing concerning the Surrender of those Garisons by his Majesty's Order, that comes from me or any of our Party; once more, and the last, before I send your Answer to his Excellency Sir *Tho. Fairfax*, I shall give your Lordship way to send an Officer, with another of mine, to those Lords in *Oxford* to whom his Majesty's Letters were directed, for your better Satisfaction. This I do, my Lord, to prevent your utter Ruin, and that of this poor Country, so much occasioned by your Lordship's Obstinancy. I expect your present Answer, and rest,

Your Servant,
June 28.
Tho. Morgan.

SIR,

IN respect of your mentioning of any Respect or Kindness towards me, lest to be divulged to the World might do you any prejudice, I have thought fit in your own Letter to return you Thanks for the same. And for Sir *Tho. Fairfax*, if he were here with all his Army, he should receive no other from me than you have had. I hope I serve (tho not so well as I should) a Master that is of more Might than all the Armies in the World; and to his holy Will and Pleasure I submit my self, and your self to do what you think fitting; and so rest,

From my Dwelling at Ragland, *June* 28.

Your Friend and Servant,
H. Worcester.

[illegible] after this, General *Fairfax* came in Person thither from [illegible] to [illegible] which was a great Forwardness both for Works and Ap[illegible] [illegible] sent in this Summons to the Castle. *Mar-*

My Lord,

22 Carol.

BLing come into these Parts with such a Strength as I may not doubt but with the same good Hand of Providence that hath hitherto blessed us, in short time to reduce the Garison of *Ragland* to the Obedience of the Parliament; I have in order thereto thought good to send your Lordship this Summons, hereby requiring you to deliver up to me for the Parliament's use the said Garison and Castle of *Ragland*; which as it only obstructs the Kingdoms Universal Peace, the Rendition may beget such Terms, as by Delay or Vain Hopes cannot hereafter be expected. I remain, *My Lord,*

Fairfax's Summons to the Marq. of Worcester, Aug. 7.

Leaguer before Ragland, *Aug.* 7. 1646.

Your Lordship's most Humble Servant,
Tho. Fairfax

Your Lordship's speedy Answer to this Summons is desired.

SIR,

ALtho my Infirmities might justly claim Privilege in so sudden an Answer, yet because you desire it, and I not willing to delay your time, to your Letter of Summons to deliver up my House, and the only House now in my possession to cover my Head in; These are to let you know, that if you did understand the Condition I am in, I dare say out of your Judgment you will not think it a reasonable Demand. I am loth to be the Author of mine own Ruin on both sides, and therefore desire leave to send to his Majesty to know his Pleasure what he will have done with his Garison. As for my House, I presume he will command nothing; neither am I knowing how either by Law or Conscience I should be forced out of it. To this I desire your Return, and rest,

The Marq. Answer.

From my poor Cottage at Ragland, *Aug.* 7. 1646.

Your Excellency's Humble Servant,
H. Worcester.

My Lord,

TOuching your sending to his Majesty, it is that which hath been denied to the most considerable Garisons of *England*, further than an Account to his Majesty of the Thing done, upon the Surrender; which I do also freely grant to your Lordship. And for that distinction which your Lordship is pleased to make, That *it is your House*; if it had not been formed into *a Garison*, I should not have troubled your Lordship with a Summons; and were it disgarison'd, neither you nor your House should receive any Disquiet from me, or any that belong unto me.

Fairfax's Reply.

This I thought good to return to yours, and thereby to discharge my self before God and the World, of all Extremities and sad Consequences that will ensue upon the Refusal of the Rendition of your Garison upon my Summons. I remain,

Yours,
Tho. Fairfax.

SIR,

I Do much confide in your Honour, as that being at stake. Concerning leave to send to his Majesty, I will at this time forbear to make further Motion in it; only one thing, which is extraordinary, I offer to your Consideration, for the just cause, besides my Allegiance, of my reasonable Request; which is, That upon his Majesty's Promise of Satisfaction, I am above 20000 Pounds out of Purse; and if I should do any thing displeasing unto him, I am sure all that is lost, and no benefit to the Parliament. If you knew how well known I was in *Henry* Earl of *Huntington*'s time unto your Noble Grandfather at *York*, I am assured I should receive that Favour at your hands that safely you might afford. God knows, if I might quietly receive my means of Subsistence, and be in Security, with the Parliament's Approbation, and freed from the Malice of those Gentlemen that are of the Committee within this County, I should quickly quit my self of the Garison; for I have no great cause to take delight in it. I have that high Esteem of your Worth, Nobleness, and true Judgment, that knowing you will offer nothing ignoble or unworthy for me to do, as the Case stands with me, I desire to know what Conditions I may have, and I will return you present Answer; and in the mean time I rest,

Another Letter of the Marquess's to *Fairfax.*

Your Humble Servant,
H. Worcester.

Aug. 8. 1646.

My Lord,

Fairfax's Answer.

ACcording to your Lordſhip's deſire I have returned you Conditions, ſuch as may be fit and ſatisfactory to the Soldiery. To your Lordſhip and Family I have granted Quiet and Security from all Violence of any that belongs to me. I would perſuade your Lordſhip not to fear any Ill or Diſreſpect from the Committee of this County, (I ſhall eaſily reconcile that Party), or that they will do any thing but as they ſhall receive Order from the Parliament. By this means you are at liberty to ſend to the Parliament; and upon a preſent Surrender and Submiſſion to their Mercy and Favour, your Lordſhip cannot but think to receive better Terms for your ſelf, than if you ſtand it out to the laſt Extremity, when beſides the hazard of your Perſon, and of thoſe in your Family (which I do preſume are dear to you) and the Spoil of the Caſtle, which cannot be avoided in extreme Undertakings againſt it. Your Lordſhip hath no reaſon to expect better than the Marqueſs of *Wincheſter* received, who in making good *Baſing-houſe* to the laſt, narrowly eſcaped in his own Perſon, loſt his Friends, ſubjected thoſe that eſcaped to great Frights and Hazard, his Houſe and Eſtate to utter Ruin, and himſelf to Extremity of Juſtice. Touching your Lordſhip's 20000 *l.* your Lordſhip hath liberty to ſolicit about that by the ſame hands your Lordſhip ſhall give an Account of the Surrender to his Majeſty. I deſire your Lordſhip, upon Receit of theſe, to diſmiſs my Trumpeter, and to return Anſwer by one of your own.

Tho. Fairfax.

A Third Letter of the Marqueſs's to *Fairfax*, *Aug.* 11.

SIR,

THE difficulty of Reſolution by the Soldiers and Officers (other than I thought) cauſeth my Requeſt for your Patience, in not giving you full Anſwer to the Conditions you ſent me yeſterday; but as ſoon as I ſhall obtain it, you ſhall not be long without it: But one thing, and that of moment, I deſire to be ſatisfied in, Whether if any Concluſion ſhould be made, that afterward I ſhall be left to the Mercy of the Parliament, for Alteration at their Will and Pleaſures; and if it be ſo, I ſhall endeavour in vain to ſtudy more about it: For Example, in my Lord of *Shrewsbury*'s Caſe, and divers others, how Conditions have been broken, doth a little affright me. I know by your Will and Conſent it ſhould never be; but Soldiers are unruly, and the Parliament unqueſtionable, and therefore I beſeech you pardon my juſt Cauſe of Fear, and I will reſt,

Your Humble Servant,
H. Worceſter.

Aug. 11.

Fairfax's Anſwer.

My Lord,

I Have peruſed your Letter of this 11*th* of *Auguſt*: As to your Scruple wherein you deſire to be ſatisfied (ſo far as I underſtand it) I can only give you this Reſolution, That what I grant, I will undertake ſhall be made good. As to the Inſtance you give in my Lord of *Shrewsbury*'s Caſe, the Actors in that Breach (who were none of my Army) have received their Cenſure, and by this time, I believe, the Execution. But here, if any Concluſion be made while I ſtay, I dare undertake there ſhall be no ſuch thing; or if any, there ſhall be Reparation.

Aug. 11. 1646. *Tho. Fairfax.*

A Fourth Letter of the Marqueſs's to *Fairfax*, *Aug.* 15.

SIR,

FOR the better Accommodation of theſe unhappy Differences, if you pleaſe that there may be a Ceſſation of Arms and working, and to engage your Honour for the Return of my Commiſſioners, To-morrow by Ten of the Clock they ſhall wait upon you in your Leaguer, where they ſhall vindicate me for being the only Obſtruction of the General Peace. So in expectation of your ſudden Anſwer, I reſt,

Your Humble Servant,
H. Worceſter.

Aug. 13. 1646.

Fairfax's Anſwer.

My Lord,

HAving not yet received in any of your Letters a direct Anſwer to the Conditions I ſent you, I have no Grounds or Conſideration for ſuch a Ceſſation of Arms and working as in your Letter you deſire; but if it be your purpoſe to return your Anſwer by Commiſſioners, I ſhall by the Hour you

mention

mention appoint Commiſſioners of mine own to receive the ſame in the Leaguer, as you deſire, and engage my ſelf for the ſafe return of yours, not exceeding Six Commiſſioners, and as many Servants; and in order to this I ſhall be content there be a Ceſſation of Arms and working from Nine of the Clock To morrow Morning, till Two in the Afternoon. 22 Caroli.

Uske, Aug. 14. *Yours,* Tho. Fairfax.

SIR,

HAD I not thought you had been in the Leaguer, to the end that Propoſitions from the Place, in Anſwer to yours, might have been firſt preſented unto you, and to avoid Delays, which I thought your Side would beſt like of, it was reſolved to ſend Commiſſioners together with our Propoſitions; but conſidering it was otherwiſe, I have ſent you ſuch as I am adviſed unto, to take into your Conſideration: And becauſe there is ſome Addition to yours, I would have been glad you had heard the juſt Reaſons thereof, to the end you might not have been perſuaded to ſlight them without juſt Cauſe. Your Pleaſure for the ordering of Buſineſs, I at your Leiſure expect; and, if you pleaſe, the Diſmiſſion of this Meſſenger; and ſo reſt, The Marq. Fifth Letter to Gen. *Fairfax, Aug* 14.

Your Humble Servant, H. Worceſter.

My Lord,

I Have peruſed the Propoſitions ſent out by your Commiſſioners, which I find ſuch as deſerve no Anſwer. I have offered your Lordſhip and the reſt Conditions which you may yet have, if you accept in time: If there be any thing in them obſcure, needing Explanation, or wanting Circumſtantials, for the better performing of the things intended therein, I ſhall be willing to appoint Commiſſioners on my part to Treat with yours to that purpoſe, upon thoſe Propoſitions of mine: Provided you ſend Commiſſioners inſtructed with Power to treat and conclude, and return your Reſolution herein by Six of the Clock in the Evening. *Fairfax's* Reply.

Aug. 14. 1646. *Yours,* &c. Tho. Fairfax.

In the mean time the Beſiegers went on with their Approaches toward the Caſtle, their main Works being not above ſome 60 Yards diſtant, and had planted Four Mortar-pieces in one place, and Two Mortar-pieces at another, each Mortar-piece carrying a Granado-Shell Twelve Inches Diameter.

Auguſt 14. *Fairfax* appointed a new Approach; which the Engineer, Captain *Hooper*, had ſo far proceeded in, as to throw up Approaches of an Hundred Yards in Circuit, making exact running Trenches (as ſecure as if they were Works againſt a Storm) coming within Sixty Yards of their Works.

Auguſt 15. The Marqueſs ſent forth his deſire to Treat upon the General's Propoſitions; whereupon the Treaty was appointed at Mr. *Oats*'s Houſe (about a Mile and a half from *Ragland*), to begin at Two of the Clock that Afternoon. *Fairfax*'s Commiſſioners were Col. *Birch*, Mr. *Herbert*, Quartermaſter-General *Craſvenor*, Lieutenant-Colonel *Aſhfield*, and Major *Tulida*.

By *Monday, Aug.* 17. the Treaty was concluded, according to the enſuing Articles.

Articles concluded and agreed on between his Excellency Sir Tho. Fairfax, *Knt. General of the Forces raiſed by the Parliament, on the one part; and the Right Honourable the Marqueſs and Earl of* Worceſter, *Governor of the Caſtle and Gariſon of* Ragland, *on the other part; for and concerning the Surrender of the Caſtle and Gariſon of* Ragland. The Articles for Surrender of *Ragland, Aug.* 17. 1646.

1. THat the Caſtle and Gariſon of *Ragland*, with all the Ordnance, Arms, Ammunition and Proviſion of War thereunto belonging, ſhall be delivered up without wilful Spoil, unto his Excellency Sir *Tho. Fairfax*, or ſuch as he ſhall appoint to receive the ſame, on *Wedneſday* next, being the *19th* day of this Inſtant *Auguſt*, by Ten of the Clock in the Forenoon, in ſuch Form as ſhall be expreſſed in the enſuing Articles.

2. That upon the ſaid *19th* day of *Auguſt*, the Officers, Gentlemen, and Soldiers of the Gariſon, with all other perſons therein, ſhall march out of the ſaid Gariſon with their Horſes and Arms, with Colours flying, Drums beating,

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ng, Trumpets ſounding, Matches lighted at both ends, Bullet in their mouths and every Soldier with Twelve Charges of Powder, Match and Bullet proportionable, and Bag and Baggage, to any Place within Ten Miles of the Gariſon, where the Governor ſhall nominate; where, in reſpect his Majeſty hath no Gariſon in *England*, nor Army any where within this Kingdom, and Dominion of *Wales*, their Arms ſhall be delivered up to ſuch as his Excellency ſhall appoint to receive them, where the Soldiers ſhall be disbanded; and that all, both Officers, Gentlemen, and Soldiers, ſhall have the benefit of theſe enſuing Articles, except perſons excepted from Pardon and Compoſition, they engaging themſelves not to bear Arms hereafter againſt the Parliament, nor do any thing during their Abode in the Parliament's Quarters, prejudicial to their Affairs.

3. That ſuch as deſire to go to their own Homes, or to their private Friends, ſhall have the General's Paſs and Protection for their peaceable Repair to and Abode at the ſeveral Places they ſhall deſire to go unto; the Officers and Gentlemen to paſs with their Horſes and Arms; alſo ſuch Officers or Gentlemen, reformed or not reformed, that want Horſes, ſhall march with their Arms; and all Officers, Gentlemen, Soldiers, and others, ſhall paſs with Bag and Baggage.

4. That all Officers, Gentlemen, and others comprized within this Capitulation, ſhall have Three Months time allowed them to remain in any place within the Parliament's Quarters, for the endeavouring their Peace and Compoſition. And all Gentlemen that deſire to go beyond the Seas, ſhall have their Paſſes for themſelves and their Servants, and all other Neceſſaries, to any Seaport to ſhip themſelves, they paying the uſual Rate: Provided they go within Three Months after the ſaid Surrender. And that all Gentlemen, Officers, and others, as ſhall deſire to take Foreign Entertainment, ſhall without exception have Paſſes for themſelves and Servants to go to *London* or elſewhere, to treat with any Ambaſſador or other to that purpoſe, with their Bag and Baggage, to march to any Port, to be tranſported whither they pleaſe, they likewiſe paying the uſual Rates.

5. That ſuch as are either wounded or ſick, ſhall either have liberty to ſtay in the Caſtle, or be removed to ſuch other places as the Governor ſhall chuſe for their Recovery.

6. That no Officers, Gentlemen, or Soldiers, during theſe Three Months, ſhall be queſtion'd for any Words ſpoken, or Acts done, relating to this War ſince the Commencement of it. That no perſon compriſed in theſe Articles be reproached, affronted, plunder'd or injur'd in their March, Quarters, or places of Abode; or any perſon that ſhall receive them, ſhall be moleſted, or ſuffer any prejudice therefore, but ſhall have liberty during the limited time, to paſs about their lawful Occaſions; provided they act nothing to the prejudice of the Parliament. And in caſe any of theſe Articles be broken by any particular perſon, That the Puniſhment extend no farther than the Party ſo offending; and that all theſe Articles may be faithfully obſerved, according to the true intent thereof, without any Cavil or mental Reſervation to infringe them, or any of them.

On *Wedneſday*, *Auguſt* 19. the Caſtle was ſurrendred, according to Agreement, to Sir *Tho. Fairfax*, for the uſe of the Parliament. The Gariſon was no ſooner marched forth, but *Fairfax* entred the Caſtle, took a view of it, had ſome Conference with the Marqueſs, and afterwards went that Night to *Chepſtow*, where he was entertained by the Committee there; from whence on *Thurſday* 20. he returned to his Quarters at *Bath*.

This Caſtle of *Ragland* was a very ſtrong Place, having a deep Moat encompaſſing it, beſides the River running by it. There were delivered up with it Twenty Pieces of Ordnance, only Three Barrels of Powder, but they had a Mill with which they could make a Barrel a day: There was found great ſtore of Corn and Malt, Wine of all ſorts, and Beer: The Horſes they had left were not many, and thoſe that were, almoſt ſtarv'd for want of Hay; ſo that the Horſes had like to have eaten one another for want of Meat, and therefore were tied with Chains: There was alſo great ſtore of Goods and Rich Furniture found in the Caſtle, which *Fairfax* committed to the Care and Cuſtody of Mr. *Herbert*, Commiſſioner of the Army, Mr. *Roger Williams*, and Major

for *Them* to be Inventoried: And that in caſe any of the Country could make a juſt Claim to any of them, as having been violently taken from them, or they compelled to bring them in thither, they ſhould have them reſtor'd. 22 *Caroli.*

There marched out of the Caſtle the Marqueſs of *Worceſter*, who was then above Fourſcore Years of Age; the Lord *Charley*, the Marqueſs's Son; the Counteſs of *Glamorgan*, the Lady *Jones*, Sir *Philip Jones*, Dr. *Bailey*, Commiſſary *Gwilliam*, 4 Colonels, 82 Captains, 16 Lieutenants, 6 Cornets, 4 Enſigns, 4 Quartermaſters, 52 Eſquires and Gentlemen.

Pendennis Caſtle ſurrender'd.

Much about the ſame time was *Pendennis*-Caſtle ſurrender'd to the Parliament, being a very ſtrong place, ſituate in the utmoſt part of *Cornwal*, ſtanding upon the Sea, and commanding in a great part the Harbour of *Falmouth*. It had been Gariſon'd for the King by the Honourable *John Arundel* of *Treriſe*, Eſquire, and was beleaguer'd by part of *Fairfax*'s Army, under the Command of Col. *Forteſcue* by Land, and by Capt. *Batten*, the Parliament's Vice-Admiral, by Sea: And after a conſiderable Siege, and gallant Reſiſtance, was ſurrender'd on theſe Articles.

Articles for the Surrender of *Pendennis*-Caſtle, *Aug.* 16. 1646.

Articles agreed on the 16th *of* Auguſt, Anno Dom. 1646. *between Sir* Abraham Shipman, *Lieut. Col.* Richard Arundel, *Col.* William Slaughter, *Col.* Charles Jennings, *Col.* Lewis Tremain, Nevil Bligh, *and* Joſeph June, *Eſq*; *Lieut. Col.* Anthony Brocket, *on the behalf of the Honourable* John Arundel *of* Treariſe, *Eſq*; *Governor of the Caſtle of* Pendennis, *of the one Party: And Col.* John St. Aubin, *Eſq*; *High-Sheriff of the County of* Cornwal, *Sir* John Ayſcue, *Knt. Col.* Robert Bennet, *Lieut. Col.* Edward Herle, *Lieut. Col.* Tho. Fitch, *Lieut. Col.* Richard Townſend, *Major* Thomas Jennings, *and Capt.* Walter Maynard, *on the behalf of the Honourable Col.* Richard Forteſcue, *Commander in Chief under his Excellency Sir* Thomas Fairfax, *of all the Forces of Horſe and Foot within the County of* Cornwal; *and the Honourable Capt.* William Batton, *Vice-Admiral and Commander in Chief of the whole Fleet employ'd for the Service of King and Parliament, on the other Party.*

1. THat the Caſtle of *Pendennis*, with all Fortreſſes, Forts, Fortifications thereunto belonging, the Ships and all other Veſſels lying under the Caſtle, with the Furniture and Proviſions unto them appertaining, all Ordnance of all ſorts, with their Equipage, and all Arms, Ammunition, Proviſions, and all other Implements of War, Neceſſaries and Commodities of and belonging to the ſaid Caſtle and Gariſon (except what otherwiſe ſhall be diſpoſed by theſe Articles), ſhall without any manner of diminution, ſpoil, or imbezzlement, be deliver'd upon *Monday* the 17*th* day of this Inſtant *Auguſt*, at Two of the Clock in the Afternoon, into the hands and cuſtody of the Two Commanders in Chief by Sea and Land reſpectively, or ſuch perſon or perſons as ſhall be by them appointed for receiving of the ſame. And that immediately upon ſigning the ſaid Articles, the ſaid perſons ſhall be admitted into the Caſtle, to ſee the juſt performance of the Premiſes, and Hoſtages given for the due obſervance of them.

2. That *John Arundel* of *Treriſe*, Eſq; Governor of the ſaid Caſtle of *Pendennis*, with his Family and Retinue, and all Officers and Soldiers of Horſe and Foot, and all the Train of Artillery, and of the Ships, as well Reformado'd Officers as others; and all Gentlemen, Clergymen, and their Families and Servants, ſhall march out of the Caſtle of *Pendennis*, with their Horſes, compleat Arms, and other Equipages, according to their preſent or paſt Commands and Qualities, with flying Colours, Trumpets ſounding, Drums beating, Matches lighted at both ends, Bullets in their Mouths, and every Soldier Twelve Charges of Powder, with Bullets and Match proportionable, with all their own proper Goods, Bag and Baggage, with a ſafe Convoy unto *Arwinch*-Downs: And becauſe his Majeſty hath neither Army nor Gariſon in *England*, to our knowledge, they ſhall there lay down their Arms (ſaving their Swords) unleſs ſuch who are Officers in Commiſſion, who with their Servants are to retain their Arms according to their Qualities; Country-Gentlemen and their Servants their Swords, only Enſigns their Colours; where ſuch perſons as Col. *Forteſcue* ſhall appoint, are to receive them: And as many as deſire it, are to have

Paſſes

An. 1646. Paſſes from the Commanders in Chief, to paſs to their ſeveral Dwellings, or to ſuch other places under the Power of the Parliament, or beyond the Seas, as they ſhall deſire, and not be plunder'd, ſearched, or injured in their March, or after, they not doing any thing to the prejudice of the Parliament's Affairs; and no man to be prejudic'd for giving any of the perſons comprized in the ſaid Articles, Entertainment in their Houſes: And that the old Gariſon-Soldiers who have Houſes in the Caſtle, ſhall have 28 day's after the Surrender, for the removing and diſpoſing of their Goods.

3. That the Princes Servants, with their Arms, and all Commanders, Officers, Gentlemen, Ladies, Gentlewomen, Clergymen, and all others, with their Retinue, that deſire it, ſhall have liberty to paſs with their Bag and Baggage, and what elſe is allow'd in the Articles, beyond the Seas; and to that purpoſe there ſhall be provided by the Vice-Admiral a ſufficient Number of Navigable Veſſels, with a Convoy for their ſafe Tranſporting from the Haven of *Falmouth*, within 28 days after the Surrender of the ſaid Caſtle, to be landed at St. *Maloes* in *France*; and in the mean time to be aſſigned Free Quarters at convenient places by Col. *Forteſcue*, Commander in Chief; and during the ſaid time, that they be not plunder'd or injur'd, they acting nothing prejudicial to the Parliament-Affairs.

4. That Col. *Wiſe*, and all Officers and Soldiers of his Regiment, or as many of them as deſire it, be ſhipt in *Falmouth*-Harbour, in Veſſels to be provided by the Vice-Admiral, and landed at *Swanſey* in *Wales*: And that ſuch as are of the County of *Cornwal*, be ſhipt and landed at *Looe*; and thoſe that be of *Devon*, to be landed at *Yalme*; and all to be ſhipt with Bag and Baggage, and ſuch Arms as formerly allowed them, nor to be plunder'd nor injur'd in their Paſſage.

5. That whereas by reaſon of the long Siege of the Caſtle of *Pendennis*, many of the Officers and Soldiers of the ſaid Gariſon are grown into great neceſſity of all ſuch things as might enable them to march to their ſeveral dwellings, many ſick and wounded; and to the intent they may be ſupplied with Neceſſaries for their Accommodations within the time limited to them by theſe Articles, it is promiſed and conſented unto by the Commiſſioners for the Leaguer, to and with the Commiſſioners for the Caſtle, That Five hundred Pounds *Sterling* ſhall be deliver'd into the hands of the Commiſſioners of the Caſtle, or any Three of them, at 8 of the Clock To-morrow morning at *Penrin*, to be diſtributed among the Officers and Soldiers aforeſaid, as they ſhall think fit; and they are not to take any Free Quarter in their Marches.

6. That all Goods taken from any perſon for the accommodation of this Gariſon, or any perſon therein, ſhall be reſtored to their proper Owners, or ſuch as they ſhall appoint; and all Goods now in the Caſtle that properly belong to any other perſons, ſhall be reſtored to the Owners thereof: And if any perſon carry away any Goods not properly belonging unto him, and deny to deliver them upon demand, in preſence of any Officer in Commiſſion, he ſhall loſe his Bag and Baggage, and have ſuch Puniſhment as the now Governor of the Caſtle, and the Commander in Chief, or any Two of them, ſhall think fit: But all perſons may retain whatſoever was taken from perſons in Arms, as lawful Prize of War.

7. That the Governor, and all Field Officers, with their ſeveral Retinues, ſhall be allow'd Carriage by Sea and Land, to carry away their ſaid Goods to any place within their Country.

8. That no Officer, Soldier, or other perſon comprized within theſe Articles, ſhall be reproached, or have any diſgraceful Words or Affronts offered, or be ſtopt, ſearched, plunder'd or injur'd in their Marches, Rendezvouz, Quarters, Journeys, Places of Abode, or Paſſages by Sea or Land; and if any ſuch thing be done, Satisfaction to be made, according to the Judgment of any Two Commiſſioners or more, being of equal number of each Party: Nor ſhall any of the Perſons aforeſaid be compell'd to take up Arms againſt the King, nor be impriſon'd for any Cauſe of publick or private Concernment, during the ſpace of 28 days after the Surrender of the ſaid Caſtle; nor for any Cauſe of Publick Concernment, for 28 days after the ſaid 28 days are ended.

9. That if any perſon within the Gariſon be ſick or wounded, that they cannot

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not take the benefit of the Articles at preſent, they ſhall have liberty to ſtay, and be provided for at convenient places until they recover, and then they ſhall have the fruit and benefit of theſe Articles.

10. That all perſons compriſed in this Capitulation, ſhall enjoy their Eſtates Real and Perſonal, they ſubmitting to all Orders and Ordinances of Parliament, and ſhall fully enjoy the benefit of theſe Articles.

11. That all Priſoners of War of either ſide be ſet at liberty; and that liberty be given immediately after the Surrender of the ſaid Caſtle, to the Governor thereof, to give notice to their Friends of the Surrender of the ſaid Caſtle; and that no Veſſel coming with Relief within Ten days after the Surrender, ſhall be made Prize.

12. That if any of theſe Articles ſhall in any Point be broke or violated by any perſon or perſons in *Pendennis*, or compriz'd within this Capitulation, the fault and puniſhment ſhall be upon them or him only who made the Breach or Violation, and ſhall not be imputed or charged on any other not aſſenting thereunto, or acting therein.

13. That all perſons comprized in theſe Articles, ſhall upon requeſt have Certificates under the hands of the Commander in Chief reſpectively, That ſuch Perſons were in the Caſtle at the time of the Surrender thereof, and were otherwiſe to have the benefit of theſe Articles.

14. That the Commanders in Chief reſpectively ſhall give Paſſes to one or two Meſſengers with their Servants, not exceeding Six, to go to the King by Sea or Land, from the Governor, to give an Account to him of the Proceedings of this Treaty, and Concluſion thereof; and to return and receive the benefit of theſe Articles.

15. That Commiſſioners be appointed on both ſides for the performance of the Articles, and Places appointed for the Accommodation of Sick Men.

16. That Confirmation of all the precedent Articles ſhall be procured from the Parliament, or from his Excellency Sir *Tho. Fairfax*, within Forty Days after the ſigning of theſe Articles.

The Archbiſhop of *York* takes up Arms for the Parliament.

Some time before this, Major-General *Mitton* took the Town of *Conaway* in *North-Wales*, wherein he was much aſſiſted by Dr. *Williams*, Archbiſhop of *York*: For that Prelate about *April* 1646. had quitted the King's Party, declared for the Parliament, and betaking himſelf to his Houſe at *Purin*, near *Conoway*, put a Gariſon therein for the Parliament, and perſuaded the Country not to pay Contribution any longer to *Conoway*; which incenſing that Gariſon, the Lord *Byron*, upon notice of ſuch his Revolt, ſent out a Party from *Conoway* to beſiege him in his Houſe; but he ſending to Col. *Mitton* for Aſſiſtance, *Mitton* diſpatch'd a Party thither to interpoſe and help him; and the Biſhop became active on that ſide in Perſon, ſo that he received a Wound on the ſide of the Neck, before *Conoway*, but not dangerous: And *Mitton* being drawn before that Town, his Grace the Archbiſhop aſſiſted at a Council of War on the 8*th* of *Auguſt*, where it was reſolved to ſtorm the Town; which was accordingly attempted, and with ſome Loſs accompliſhed, and ſome days after the Caſtle ſurrender'd; as alſo *Flint*-Caſtle, and all other places in *Wales*.

Conoway Town ſtorm'd, *Aug.* 9. 1646.

So that now there was not one Gariſon in *England* or *Wales* remaining, but what was reduced to the Power of the Two Houſes, ſave only thoſe in the *North*, which remained in the hands of the *Scots*.

An. 1646.

CHAP. X.

Civil Tranſactions after his Majeſty's being at Newcaſtle, *between him and the Two Houſes, and the* Scots: *With the Propoſitions tender'd to him there; and his Majeſty's Anſwer thereunto, &c.*

THE Two Houſes being now poſſeſs'd of the Strength of the Kingdom, were buſy in compleating their Propoſitions *for Peace* which they deſigned to ſend to his Majeſty, and which had been retarded by the Diſagreement of the *Scots* Commiſſioners; but now at laſt they thought fit to concur therein, expreſſing their Conſent in the following Paper; which was delivered with this following Speech of the Marqueſs of *Argyle*, together with ſome other Papers; which for fuller Satisfaction we ſhall give you in the ſame order as they were then delivered.

The Lord Marqueſs of *Argyle* his Speech to a Grand Committee of both Houſes, *June* 25. 1646.

My Lords and Gentlemen,

THough I have had the Honour to be named by the Kingdom of *Scotland* in all the Commiſſions which had relation to this Kingdom ſince the beginning of this War, yet I never had the happineſs to be with your Lordſhips till now; wherein I reverence God's Providence, that he hath brought me hither at ſuch an opportunity, when I may boldly ſay, it is in the power of the Two Kingdoms, yea, I may ſay in your Lordſhips power, to make us both happy, if you make good uſe of this occaſion, by ſetling Religion, the Peace and Union of theſe Kingdoms. The work of Reformation in theſe Kingdoms is ſo great a work, as no Age nor Hiſtory can parallel ſince Chriſt's days; for no one Nation had ever ſuch a Reformation ſet forth unto them, much leſs Three Kingdoms: So that this Generation may truly think themſelves happy if they can be inſtrumental in it. And as the Work is very great, ſo it cannot be expected but it muſt have great and powerful Enemies, not only Fleſh and Blood, which hate to be reformed, but Principalities and Powers, the Rulers of the darkneſs of this world, and ſpiritual wickedneſſes in high places. As the dangers are great, we muſt look the better to our duties; and the beſt way to perform theſe, is to keep us by the Rules which are to be found in our National Covenant, principally the Word of God, and in its own place, the Example of the beſt Reform'd Churches. And in our way we muſt beware of ſome Rocks, which are temptations both upon the right and left hand, ſo that we muſt hold the middle path. Upon the one part we would take heed not to ſettle lawleſs Liberty in Religion, whereby inſtead of Uniformity we ſhould ſet up a thouſand Hereſies and Schiſms, which is directly contrary and deſtructive to our Covenant. Upon the other part, we are to look that we perſecute not Piety and peaceable men, who cannot through ſcruple of Conſcience come up in all things to the common Rule: But that they may have ſuch a forbearance as may be according to the Word of God, may conſiſt with the Covenant, and not be deſtructive to the Rule it ſelf, nor to the Peace of the Church and Kingdom; wherein I will inſiſt no further, either to wrong your Lordſhips Patience or Judgments, who, I doubt not, will be very careful to do every thing according to our Covenant.

As to the other point, concerning the Peace and Union of the Kingdoms, I know it is that which all profeſs they deſire; I hope it is that all do aim at; ſure I am, it is that which all men ought to ſtudy and endeavour. And I think it not amiſs to remember your Lordſhips of ſome former Experiences, as an Argument to move us to be wiſe for the future. If the Kingdom of *England* in the 1640 year of God, then ſitting in Parliament, had concurred as they were deſired, againſt the Kingdom of *Scotland*, no queſtion we had been brought to many difficulties, which bleſſed be God was by the Wiſdom of the Honourable Houſes prevented. So likewiſe, when this Kingdom was in difficulties, if the Kingdom of *Scotland* had not willingly, yea chearfully ſacrificed

their Peace, to concur with this Kingdom, your Lordſhips all know what might have been the danger. Therefore let us hold faſt that Union which is ſo happily eſtabliſhed betwixt us; and let nothing make us again two, who are ſo many ways one; all of one Language, in one Iſland, all under one King, one in Religion, yea one in Covenant; ſo that in effect, we differ in nothing but in the Name (and ſo do Brethren), which I wiſh were alſo removed, that we might be altogether one, if the Two Kingdoms ſhall think fit: For I dare ſay, not the greateſt Kingdom in the Earth can prejudice both, ſo much as one of them may do the other.

I will forbear at this time to ſpeak of the many Jealouſies I hear are ſuggeſted; for as I do not love them, ſo I delight not to mention them: Only one I cannot forbear to ſpeak of, As if the Kingdom of *Scotland* were too much affected with the King's Intereſt. I will not deny but the Kingdom of *Scotland*, by reaſon of the Reign of many Kings, his Progenitors, over them, hath a Natural Affection to his Majeſty, whereby they wiſh he may be rather Reformed than Ruined: Yet experience may tell, that Perſonal Regard to him hath never made them forget that common Rule, *The Safety of the People is the Supreme Law.* So likewiſe their love to Monarchy makes them very deſirous, that it may be rather regulated than deſtroyed: Which I hope I need not to mention further to your Lordſhips, who, I truſt, are of the ſame mind.

I know likewiſe there are many Jealouſies and unjuſt Aſperſions caſt upon the *Scotiſh* Armies in *England* and *Ireland*: I can (if it were needful) preſently produce Heads of a Declaration intended by the Army in *England*, for vindicating themſelves from ſuch Injuries, and ſhewing the clearneſs of their Reſolution and Integrity, both in the Cauſe, and towards this Kingdom; wherein their Undertakings, and coming in at ſuch a Seaſon of the Year, their hard Sufferings, and conſtant Endeavours ſince, may be ſufficient Teſtimonies. Therefore I am the more bold to deſire your Lordſhips, That ſo long as they ſtay in *England* (which I wiſh may be for a ſhort time) they may be ſupplied with ſome Moneys, and their Quarters enlarged, leſt their lying in too narrow Quarters make the burthen inſupportable to that exhauſted Corner of the Country where they now remain, and ſo beget Outcries againſt them, when they are not enabled to diſcharge their Quarters, as other Armies within the Kingdom.

As for the Army in *Ireland*, I have been an Eye-witneſs to their Sufferings, and ſo may ſpeak of it likewiſe upon certain knowledge, That never men have ſuffered greater hardſhips, who might have been provided for: They have lived many times upon a few Beans meaſured out to them by number, and never had any other Drink but Water: And when they were in ſome better condition, they had but an *Iriſh* Peck of rough Oats for a whole Week: And now at their beſt Condition, when they are quarter'd upon the Country (which is able to entertain them only for a very ſhort time) they have only an *Iriſh* Peck of Oatmeal, or a Shilling, in the Ten days, both for Meat and Drink. Therefore, according to the many deſires given in to the Honourable Houſes for that end, I humbly intreat that your Lordſhips will take care to provide for them, ſo long as it is thought fit they remain in that Kingdom.

For a renewed Teſtimony of our earneſt deſires to comply with the Honourable Houſes for ſetling the Peace of theſe Kingdoms, ſo much longed for, we do return unto your Lordſhips the Propoſitions of Peace (which we received on *Tueſday* laſt) with our Conſent thereunto, wiſhing they may be haſted to his Majeſty, who hath ſo often called for them. And I likewiſe offer to your Lordſhips the Copy of his Majeſty's Letter to my L. *Ormond*, diſcharging him from any further medling in any Treaty with the Rebels in *Ireland*, I hope in order to his Majeſty's further condeſcending to the ſetling of that Propoſition concerning *Ireland*, and the reſt of the Propoſitions now to be ſent unto him. Another Paper there is, which concerns the ſupplying of the *Scotiſh* Armies in *England* and *Ireland*, and the perfecting of the Accounts between the Kingdoms, together with a Letter from Gen. Major *Monroe*, to the Committee of Eſtates of the Kingdom of *Scotland*, concerning the State of Affairs in *Ireland*. All which when your Lordſhips have conſider'd, I truſt ye will take ſuch courſe therein, as may ſatisfy our juſt deſires, may put an end to our preſent Troubles, and ſettle theſe Kingdoms in a happy Peace.

An. 1646.

The Paper wherein the Commiſſioners for the Kingdom of *Scotland* conſent to the Propoſitions of Peace.

IT is above a Twelvemonth ſithence we did earneſtly preſs the ſending of Propoſitions to the King for a ſafe and well-grounded Peace. In anſwer whereunto, the Honourable Houſes were pleaſed to acquaint us, That they had reſolved Propoſitions ſhould be ſent to his Majeſty, but did intend to make ſome Alterations in the former Propoſitions; and after Eight or Nine Months deliberation, we received from the Honourable Houſes ſome of thoſe Propoſitions: And tho we did find therein very material Additions, Alterations, and Omiſſions, which for their great Importance, and the intereſt of the Kingdom of *Scotland* therein, might very well have required the delay of an Anſwer until the Eſtates of that Kingdom had been conſulted; yet ſo unwilling were we to retard the means of Peace, that in a Fortnights time we returned an Anſwer upon the whole Propoſitions: And the Houſes of Parliament not reſting ſatisfied therewith, in leſs than Ten days we prepared a further Anſwer, wherein we did very much comply with the Deſires of the Honourable Houſes, eſpecially in the matter of the ſetling of the *Militia* of *England* and *Ireland*, and in other things did ſhew our readineſs to hear or propoſe ſuch Expedients as might determine our Differences: So that in a whole Years time the Propoſitions have not remained in our hands the ſpace of Four Weeks (which we only mention to clear our Proceedings from Miſtakes and Aſperſions.) And the Houſes having now, after Two Months further deliberation, delivered unto us, upon the 23*d* of this Inſtant *June*, all the Propoſitions they intend to ſend to the King at this time, we do without any delay return ſuch an Anſwer and Reſolution thereupon, as will be to the preſent and future Generations one undeniable Teſtimony (beſides many others) of the Integrity and Faithfulneſs of the Kingdom of *Scotland*, in their ſolemn League and Covenant, of their love to Peace, and earneſt deſire to ſatisfy their Brethren of *England* in thoſe things which concern the Good and Government of this Kingdom: Being further reſolved, touching the Kingdom of *Scotland*, That as nothing of ſingle or ſole Concernment to that Nation did engage them in this War, ſo nothing of that nature ſhall continue the ſame. Altho theſe Propoſitions now to be ſent, do much differ from the Propoſitions formerly agreed upon by the Parliaments of both Kingdoms, and the moſt material Additions, Omiſſions and Alterations, are in ſuch particulars as concern the joint Intereſt and mutual Confidence and Conjunction of both Kingdoms, which were, as we conceive, much better provided for and ſtrengthned by the former Propoſitions than by theſe: Altho the particular Propoſitions preſented by us, concerning the Kingdom of *Scotland*, are not yet agreed unto by the Houſes of Parliament, as was offered in their Paper of the 10*th* of *April*: Altho divers Propoſitions of joint concernment be now ſuperſeded, and the ſending of them delayed to a more convenient time, as is expreſſed in the Votes of both Houſes the 26*th* of *March*: And altho (which is to us more than all the reſt) thoſe Ordinances of Parliament unto which the Fifth and Sixth Propoſitions do relate (and were therefore communicated unto us, upon our deſire to ſee what the Houſes had already agreed upon concerning Religion) do not contain the Eſtabliſhment of ſuch a Reformation of Religion, and Uniformity as was expected, and was the chief end of our Engagement in this War. And as all theſe Ordinances put together, come ſhort of what was wiſhed, ſo there are ſome Particulars which we conceive to be inconſiſtent with the Word of God, and the Example of the beſt-Reformed Churches, and therefore cannot in our Conſciences conſent unto them; which Particulars were expreſſed to both Houſes in the Remonſtrance of the Commiſſioners of the Church of *Scotland*, of the date, *March* 26. 1646. Yet nevertheleſs we do ſo earneſtly deſire, and ſo highly value the eaſing of the heavy Preſſures under which both Kingdoms groan, and the bringing of this bloody laſting War to a ſpeedy and happy end; conſidering withal, that not only the Book of Common-Prayer, and the Prelatical Government are aboliſhed, and a common Directory of Worſhip eſtabliſhed in both Kingdoms, but that likewiſe the Ordinances aforementioned do contain divers parts of a poſitive Reformation and Uniformity in Church-Government, unto which we formerly gave our Conſent in our Anſwer upon the whole Propoſitions of Peace of the 20*th* of *April*; and for ſo happy beginnings, and ſo good a foundation laid for the future, we heartily thank

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thank God, and do acknowledge the Zeal, Piety, and Wiſdom of the Honourable Houſes therein; remembring alſo that theſe Ordinances do not contain the whole Model of Church-Government; and that the Houſes have been pleaſed to expreſs, [*That it cannot be expected that a perfect Rule in every particular ſhould be ſetled all at once, but that there will be need of Supplements and Additions, and haply of Alterations in ſome things, as Experience ſhall bring to light the neceſſity thereof.*]

Upon theſe Conſiderations, as we do chearfully conſent to many material parts of theſe Propoſitions, ſo we reſolve to make no Lett, but to give way to the ſending of ſuch other Particulars therein contained, with which we are unſatisfied in the matter, for the Reaſons formerly repreſented to both Houſes; of which ſome ſtill ſtand in force, though others of them be taken away by the new Expedients. It being always underſtood, that our not diſſenting from, nor oppoſing of the ſending of the Propoſitions as they now ſtand, ſhall be no prejudice nor impediment to all or any one of the Articles of the Solemn League and Covenant, eſpecially to the firſt Articles, concerning the preſervation of the Reformed Religion in the Church of *Scotland*, in Doctrine, Worſhip, Diſcipline, and Governmenment, againſt our common Enemies; the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worſhip, Diſcipline, and Government, according to the Word of God, and Example of the beſt Reformed Churches; and the bringing of the Churches of God in the Three Kingdoms, to the neareſt Conjunction and Uniformity in Religion, Confeſſion of Faith, Form of Church Government, Directory for Worſhip, and Catechiſing; which things both Kingdoms are by Covenant obliged ſincerely and really to endeavour; and that not for a time, but conſtantly; ſo that neither of the Kingdoms can be looſed or acquitted from the moſt ſtrict and ſolemn Obligation of their continued and conſtant endeavouring theſe good Ends, ſo far as any of them is not yet obtained: It being alſo underſtood, that our concurrence to the ſending of the Propoſitions, ſhall be without prejudice to any Agreement or Treaty between the Kingdoms, and ſhall not infringe any Engagement made to the Kingdom of *Scotland*, nor be any hindrance to our inſiſting upon the other Propoſitions already made known to the Houſes: And it being underſtood that it is not our Judgment, that every Particular and Circumſtance of theſe Propoſitions is of ſo great Importance to theſe Kingdoms, as Peace and War ſhould depend thereupon. Upon theſe Grounds (which we make known only for clearing our Conſciences, and for diſcharging our ſelves in the Truſt put upon us, without the leaſt Thought of retarding the ſo much long'd-for Peace) we condeſcend and agree that the Propoſitions as they are now reſolved upon, be in the Name of both Kingdoms preſented to the King; whoſe Heart we beſeech the Lord wholly to incline to the Counſels of Truth and Peace.

June 25. 1646.

By the Command of the Commiſſioners for the Kingdom of Scotland,

John Cheifley.

Another Paper, wherein the Commiſſioners for the Kingdom of *Scotland* deſire their Armies in *England* and *Ireland* to be ſupplied, the Accounts to be perfected, and all Armies disbanded, *&c.*

HAving ſo often repreſented by Papers, and now by word to the Honourable Houſes, the extreme Neceſſities of our Armies in *England* and *Ireland*, we ſhall not trouble them with unneceſſary Repetition, but only mention thoſe Deſires which require their very ſpeedy Conſideration.

1. We deſire, That for eaſing the Countrey of their great Preſſures, and preventing many dangerous Inconveniences, the quarters of the *Scotiſh* Army in the *North* of this Kingdom may be enlarged, and a conſiderable Supply of Money diſpatched unto them.

2. That Money, Proviſions, and Ammunition may be ſent to the *Scotiſh* Army in *Ireland*, and the ſame Care taken in providing for them, as for other Forces employed in that Kingdom.

3. That the 5000 Arms long ſince promiſed, and in an Ordinance of both Houſes of the 26*th* of *Auguſt*, 1645. referred to the care of the Committee at *Haberdaſhers-Hall*, may be ſpeedily provided; and that the Honourable Houſes will be pleaſed to grant Power to that Committee, to contract and make Payment, as well as to treat for furniſhing of theſe Arms; by reaſon of which

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which defect in the Ordinance, the ſending of theſe Arms hath been hit herto retarded.

4. That to prevent the further Invaſion of the Kingdom of *Scotland* by the *Iriſh* Rebels, Ships may be preſently ſent to attend the Coaſts betwixt *Scotland* and *Ireland*; and the Commanders of theſe Ships authoriſed with ſuch Inſtructions as are agreeable to the Treaties between the Kingdoms.

5. That the Honourable Houſes will be pleaſed to ſend Commiſſioners to join with the Committee of Eſtates, reſiding with the *Scotiſh* Army, who may be Witneſſes, as of their other Proceedings, ſo of their earneſt Deſires and real Endeavours with the King, for giving ſpeedy and full Satisfaction to both Kingdoms. And it is alſo our earneſt Requeſt, That theſe Commiſſioners may have Power to treat and agree with the Committee of Eſtates, concerning the ſtating of the Accounts, and ſetling any differences that may ariſe thereupon. And further to treat and agree upon Overtures, eſtimated Mediums, or Expedients for the ſpeedy ſetling thereof (which we are confident may be done in a very few days), and either finally to conclude them, or repreſent them to both Houſes; whereby with all poſſible expedition, upon the ſetling of the Propoſitions and Accounts, ſuch courſe may be taken, as all Armies may be disbanded, the Kingdoms eaſed of their heavy Preſſures and inſupportable Burthens, that ſo all things being ſetled in a Brotherly way; we and our Poſterity may after ſo unhappy and troubleſome a War, enjoy a quiet and bleſſed Peace.

By Command of the Commiſſioners for the Kingdom of Scotland,

25. June, 1646. John Cheiſly.

His Majeſty's Letter to the Marqueſs of *Ormond*, not to proceed further in Treaty with the Rebels, *June* 11. 1646.

Charles R.

RIght Truſty, *&c.* Having long with much Grief looked upon the ſad Condition our Kingdom of *Ireland* hath been in theſe divers Years through the wicked and deſperate Rebellion there, and the bloody Effects have enſued thereupon; for the ſetling whereof we would have wholly applied our ſelves, if the Differences betwixt us and our Subjects here had not diverted and withdrawn us: And not having been able by Force (for that reſpect) to reduce them, we were neceſſitated, for the preſent Safety of our Proteſtant Subjects there, to give you Power and Authority to treat with them upon ſuch pious, honourable, and ſafe Grounds, as the good of that our Kingdom did then require. But for many Reaſons, too long for a Letter, we think fit to require you to proceed no further in Treaty with the Rebels, nor to engage us upon any Conditions with them after ſight hereof. And having formerly found ſuch real Proofs of your ready Obedience to our Commands, we doubt not of your Care in this, wherein our Service and the Good of our Proteſtant Subjects in *Ireland* is ſo much concerned. *From* Newcaſtle, *the* 11*th of* June, 1646.

To his Excellency the Earl of Leven; *The Petition of all the Officers and Soldiers under your Excellency's Command.*

The *Scots* Army's Petition to their General, for a Declaration of their Integrity.

Sheweth,

THat whereas the whole Officers and Soldiers of this Army under your Excellency's Command, out of their Zeal to the Reformation of Religion, their tender Care to preſerve and confirm the mutual Amity and Confidence of both Kingdoms, and their earneſt deſires to vindicate their Honour from Reproaches and Aſperſions lying upon them, have thought it neceſſary to emit a Declaration of their Conſtancy and Integrity in the purſuance of the ends of the Covenant; and likewiſe to ſupplicate his Majeſty, That he would be pleaſed to comply with the juſt deſires of his Parliaments, and take ſome ſpeedy courſe to put an end to our laſting Miſeries, by ſetling of Truth and Peace.

May it therefore pleaſe your Excellency to repreſent our Deſires in this behalf to the Honourable Committee; and that we humbly conceive, the Uprightneſs of our Intentions herein (having nothing before our eyes, but the Good of Religion, his Majeſty's Happineſs, and the Peace of theſe Kingdoms) will procure a favourable Acceptance of our Endeavours.

The

22 *Caroli.*

A Declaration of the Lord General, the General Officers and Soldiers of the *Scotiſh* Army at *Newcaſtle*, *June* 29. 1646.

THE many Calamities and heavy Preſſures, the ſad Affliction lying upon theſe Kingdoms this time paſt, and the great Effuſion of Chriſtian Blood, occaſioned by the continuance of this unnatuaal War, having ſo deeply wounded us; and being earneſtly deſirous to give ſome evident Teſtimony of our Piety to God, Loyalty to our Sovereign, and Love to theſe Kingdoms; that the Conſtancy of our Affection to this Cauſe, our Zeal to the Reformation of Religion, and his Majeſty's Perſon and Authority in defence thereof, and our firm Reſolutions to purſue the Ends expreſs'd in our Solemn League and Covenant, may appear to the World; we have thought it neceſſary in this Juncture of time, when all means are eſſayed by the Enemies of Truth and Peace to diſparage our proceedings, by rendring ſuſpected our beſt Actions and Endeavours, to the begetting of Miſunderſtanding, and weakning the Union between the Two Kingdoms, to declare and make known, That as we have entred into a Solemn League and Covenant, with our hands lifted up to the moſt High God, with real Intentions to promote the Ends thereof, ſo we do reſolve, God willing, conſtantly to adhere to the whole Heads and Articles of the ſame, and for no earthly Tentation, for no Fear or Hope, to fall away and violate our Sacred Oath.

We do likewiſe profeſs, That nothing hath been with greater Care and Faithfulneſs endeavoured by us, than to preſerve the happy Union and Brotherly Correſpondence between the Kingdoms, as a principal Mean of Happineſs to both; and ſhall continue in the ſame Care to avoid every thing that may tend to the Infringement thereof, with a ſpecial regard and tenderneſs to the Intereſts of both Kingdoms: For the ſtrengthning of which Union, and removing every thing that might obſtruct the ſame, As hitherto we have had no Compliance, nor kept Correſpondence with known Enemies and Malignants, So will we never hereafter give Countenance or Encouragement to any perſon diſaffected to the Parliaments of either Kingdom.

And that the Integrity of our Intentions, and the Uprightneſs of our Deſires may be the more manifeſt, we do declare, That we abhor all publick and private ways, contrary to the Covenant, and deſtructive to the Happineſs of both Kingdoms: We diſclaim all dealing with thoſe that are Inſtruments of theſe unhappy Troubles and Impediments of Peace; and with all ſuch perſons who will not uſe all Means and Endeavours, and contribute their beſt Counſels and Advice for haſting an End to our laſting Miſeries, and procuring a ſure and well-grounded Peace; and in particular, we do abominate and deteſt that execrable Rebellion of *James Grahame*, utterly abjuring all manner of Conjunction with him and his Confederates, and with all other known Enemies, or delared Traytors to either Kingdom, notwithſtanding of any Inſinuations to the contrary, expreſs'd in ſome Letters, as is ſaid, by his Majeſty to the Earl of *Ormond* in *Ireland*: For we have none but ſingle Intentions, and unfeigned Deſires of Peace, renouncing all Communion with whatſoever Deſigns and Practices contrived in the dark, to the prejudice of Religion, and Tranquility of theſe Kingdoms, the only Principles by which we move.

And as we came into this Kingdom at the earneſt deſires of our Brethren, to aſſiſt them in the time of their great Extremity, in the purſuance of the National Covenant, not for any mercenary Ends, nor to enrich our ſelves, as is falſly and calumniouſly charged upon us by thoſe that wiſh not well unto us nor our Cauſe; ſo ſhall we be moſt willing to depart and return home in Peace, with the ſame Chearfulneſs and Affection that we had when we came in: Nor ſhall the matter of Money, or want of juſt Recompence for the Service performed, and Hardſhip ſuſtained, be to us an Argument of our ſtay: But leaving the Conſideration of theſe things to the Wiſdom and Diſcretion of both Parliaments, we ſhall ſo far deny our ſelves, as not to ſuffer any private Reſpects of our own to retard the Advancement of this Cauſe, or prejudge the publick Work of both Kingdoms.

We cannot conceal, but muſt acknowledge how ſenſible we are, and have always been, of the many Complaints preſented to the Parliament of *England* againſt this Army, and the heavy Calumnies and Aſperſions lying upon us for having committed Inſolencies, and oppreſſed the People by taking Free Quarter; offering our ſelves moſt willing and ready, that whoſoever amongſt

us

An. 1646. us have by their Miſdemeanors, Miſcarriages, or inordinate way of walking, ſcandalized the Cauſe for which we have taken our Lives in our hand, or endeavoured to beget a Miſunderſtanding, or foment Jealouſies between the Kingdoms, we ſhall ſtrive to diſcover all ſuch, and labour to bring them to publick Trial and condign Puniſhment: Not doubting, but as we are zealous to vindicate our Honour and Reputation from all Reproaches, ſo the Parliament will likewiſe be pleaſed to have ſuch favourable Conſtruction of our Proceedings, as not willingly to harbour any Thoughts which may leſſen their Reſpects to us, and which are not ſuitable to the conſtant Tenor of our Carriage and Profeſſion. And we ſhall likewiſe deſire, That the manifold Neceſſities and preſſing Wants to which we were many times reduced, may not be forgotten; and that the ways and means appointed for our Supply, neither anſwered the Expectation of the Honourable Houſes of Parliament, nor ſatisfied our Neceſſities; ſo that for want of Moneys we could not always diſcharge our Quarters: Yet do we moſt freely declare our willingneſs to allow of whatſoever hath been taken up by us; and for that effect we deſire the Accounts of the Army to be adjuſted with the ſeveral and reſpective Counties, that whatever can be juſtly charged upon us, may be diſcounted off any Sums that ſhall be reſting us in Arrear. And if we knew any thing elſe that could ſerve to remove all Jealouſies and Miſunderſtandings, and beget a more full Confidence of our Uprightneſs, we ſhould with the ſame readineſs apply our ſelves to all the ways that might conduce thereunto.

But becauſe his Majeſty's ſudden and unexpected coming into this Army doth miniſter new occaſion to us to give ſome demonſtration of our Conſtancy; though we hope his Majeſty came with real Intentions to ſatisfy the juſt deſires of his Parliaments, and compoſe all thoſe differences; yet leſt it ſhould bring in queſtion the Clearneſs and Integrity of our ways, whereof our Conſciences do bear us witneſs, and all our Actions ſhall be publick and real Teſtimonies; we do proteſt, that his preſence with us hath not begotten any Alteration in our minds in the leaſt meaſure to eſtrange us from the ways of our Covenant, or alienate our Reſolutions from going on zealouſly, conſtantly, and unanimouſly, to ſet forward the Ends therein expreſs'd, endeavouring (ſo far as lieth in our power) to improve that Providence of his coming to us, to the publick Good and Happineſs of both Kingdoms. And as it is our earneſt deſire that his Majeſty would no more ſuffer himſelf to be involved in the Counſels whereof he has had ſo ſad experience, to the endangering of his Perſon, Poſterity, and Kingdoms; ſo do we exceedingly wiſh, that he would comply with the Counſels of his Parliaments, to the Satisfaction of his good People. And we ſhall be careful that nothing proceed from us, which may give occaſion to his Majeſty to entertain any ſecret Confidence, That this Army will give aſſiſtance for advancing other ends than ſuch as are agreeable to our Covenant, conducing to the Good of Religion, the Happineſs of the King and his Poſterity, and Safety of the Kingdoms.

Signed by his Excellency the Earl of Leven, *the General Officers, and Three Commiſſioners from every Regiment of the Army.*

The Petition of the Earl of Leven, *Lord General, the General Officers, Colonels, and Captains, &c. of the* Scotiſh *Army, preſented to his Majeſty at* Newcaſtle.

WE your Majeſty's Loyal Subjects and Faithful Servants, the Lord General, the General Officers, the Colonels and Captains in the *Scotiſh* Army, now in the Kingdom of *England*, from the deep ſenſe of the bleeding Condition of theſe Kingdoms, ſo heavy preſt with ſad Afflictions, through the unhappy Differences between your Majeſty and your Subjects, from the true Affection and Zeal to the Reformation of Religion, and your Majeſty's Perſon and Authority in defence thereof; and in the purſuance of that ſacred Oath which we have taken, with our hands lifted up to the moſt High God, Do make our humble Addreſs, and tender this earneſt Petition to your Majeſty in our name, and in the name of all the Inferior Commanders and Soldiers under our Charge, That your Majeſty in your Wiſdom and Goodneſs may be pleaſed to take a ſpeedy courſe for ſetling of Religion and Church-Government in this Kingdom, according to the Word of God, and Example of

of the beſt Reformed Churches, and bringing the Churches of the Three Kingdoms to the neareſt Conjunction and Uniformity; and for eſtabliſhing the Privileges and Liberties of your Kingdoms, according to the deſires of your good People. We may not conceal our unfeigned Grief, for that your Majeſty hath not yet been pleaſed to authorize and ſign the Covenant, which we are confident would bring Honour to God, Happineſs to your ſelf and Poſterity, and indear your Majeſty (above meaſure) to all your faithful and Loyal Subjects: In the juſt defence whereof, as many of them have already loſt their lives, ſo are we ready to ſacrifice ours. 22 *Caroli.*

We muſt alſo pray your Majeſty to compaſſionate the diſtreſſed Condition of your Kingdoms, groaning under the heavy Preſſures of manifold Calamities, occaſioned by the Continuance of this unnatural War; and to comply with the Counſels of your Parliaments; that all Differences being happily compoſed, and the Armies in both Kingdoms disbanded, we may return home in Peace, or be diſpoſed of otherwiſe by your Majeſty, with the Advice of your Parliaments, which may be moſt for your Majeſty's Honour and Service, and the Proſperity of theſe Kingdoms.

Signed by his Excellency the Earl of Leven, *the General Officers, and Three Commiſſioners from every Regiment of the Army.*

By his Majeſty's Command.

I Am in his Name to return this Anſwer to the Petition preſented to him by the Lord-General, the General Officers, the Colonels, and other Officers and Soldiers of the *Scotiſh* Army, That his Majeſty came into the *Scotiſh* Army with full intent of ſetling an happy Peace in theſe his Kingdoms, and to ſatisfy the juſt deſires of his good Subjects; and likewiſe to comply with his Parliaments in all things which ſhall be for the Good of Religion, and the Happineſs of his Subjects, which he will always prefer to all Worldly Intereſts: And whenſoever it ſhall pleaſe God ſo to bleſs his Majeſty's Endeavours, as to ſettle an happy Peace in theſe his Dominions, his Majeſty will be very ſolicitous to find out ſome means of honourable Employment for ſo many Gallant Men as are employed in this Army.

At Newcaſtle, *June* 27. 1646. *Lanrick.*

A Report being made to the Commons Houſe, of the Propoſitions for Peace, as preſented back by the Lords and *Scots* Commiſſioners, they were all again read over, and paſs'd without any Alteration.

June 27. The Propoſitions for Peace paſs'd.

One *Morgan*, alias *Powel*, of the Order of St. *Benedict*, convicted the laſt Term at the *Kings-Bench* Bar of having received Orders beyond the Seas in the Church of *Rome*, and afterwards coming into *England* contrary to Law, was drawn, hang'd, and quarter'd at *Tyburn*.

June 30. *Morgan* a Prieſt executed.

IN order to the Safety of the Parliament and City, it is ordered by the Commons in Parliament aſſembled, That all ſuch perſons, of what Degree or Quality ſoever, Officers, Soldiers and others, as come out of *Oxford*, or any other of the King's Gariſons, while they remain within the Cities of *London* and *Weſtminſter*, and Lines of Communication, ſhall not go Armed, or keep any Arms in their Lodgings or Houſes; and after Nine of the Clock at Night not to be out of their Lodgings. That all perſons, of what Degree or Quality ſoever, comprized within the Articles of *Oxon*, *Exon*, and all other Gariſons, that are already come to the Cities of *London* and *Weſtminſter*, and Places within the Lines of Communication, ſhall before *Tueſday* next, being the 9*th* of this Inſtant *July*, repair to *Guildhall*, *London*, and ſhall there in preſence of any Three of the Committee of the Militia of *London*, produce their Paſſes, and ſhall according to the Articles engage themſelves by Promiſe not to bear Arms againſt the Parliament, nor wilfully to do any Act prejudicial to their Affairs, ſo long as they remain in their Quarters. And that all perſons, of what Degree or Quality ſoever, comprized within any of the ſaid Articles, as ſhall hereafter come within the ſaid Cities and Lines of Communication, ſhall within Four days after their coming, repair to *Guildhall*, *London*, and ſhall there likewiſe produce their Paſſes, and make the like Engagements.

July 2. Order of the Commons touching thoſe that come from *Oxford*, what Hours they ſhould keep, *&c.*

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And whoever ſhall neglect or refuſe to obſerve this Order, or do any thing contrary to the ſaid Articles, ſhall forfeit the Benefit of the ſaid Articles. And this to be Printed, and Publiſhed by Sound of Trumpet, or Beat of Drum: And the Committee of the Militia of *London* is deſired to take care that it be Publiſh'd accordingly.

July 6. Commons vote no more need of the *Scots*.

The Commons voted, That this Kingdom hath no further need of the *Scotch* Army; and that the Kingdom is unable to pay them longer: And that a Letter ſhould be ſent from both Houſes to the Commiſſioners of *Scotland*, to deſire them to withdraw their Army into *Scotland*.

July 10.

Several Letters arrived from the General Aſſembly of the Kirk of *Scotland* to the Parliament, to the City, and to the Aſſembly of Divines, as follow.

A Letter from the General Aſſembly of the Kirk of *Scotland* to both Houſes of Parliament, 18 *June*, 1646.

Right Honourable,

THE Report of the great things which the Lord has done for your Honours, has gone forth into many Lands, and it becometh us leaſt of any either to ſmother or extenuate the ſame: We deſire to be enlarged in the Admiration of the Power and Mercy of God the Author, and to diminiſh nothing of that Praiſe that is due unto you as Inſtruments. When the Lord ſet your Honours upon the Bench of Judgment, both the Kirk and Commonwealth of *England* were afflicted with inteſtine and boſom Evils; the Cure whereof could not but be very difficult, becauſe they were not only many, but for the moſt part univerſal and deeply rooted, ſhelter'd under the ſhadow of Cuſtom and Law, and ſupported with all the Wiſdom and Strength of the Malignant and Prelatical Party; who rather choſed to involve the Land in an unnatural and bloody War, than to fail of their ambitious and treacherous Deſigns againſt Religion, the Privileges of Parliament, and the Laws and Liberties of the Kingdom. Neither hath that miſerable Crew been wanting unto their own Ends, but for many years together hath deſperately purſued their Reſolutions in Arms; and was likely to have prevailed, if the Lord had not put himſelf in the breach, and furniſhed you with much Patience, Wiſdom, Courage, and Conſtancy, in the midſt of many Difficulties and Diſtreſſes, and at laſt with ſo glorious and triumphing a Succeſs, that the Enemy hath fallen every where before you, and there is none left to appear againſt you. Theſe things, as they be the matter of our Refreſhment, and of your Glory, ſo do they lay a ſtrong Obligation upon your Honours to walk humbly with your God, and to improve the Power he has put into your hands, for the Advancement of the Kingdom of his Son, and bringing forth the Head-Stone of his Houſe. The ſlow progreſs of the Work of God has always been the matter of our Sorrow; which is now increaſed, by the multiplication of the Spirits of Error and Deluſion, that drown many Souls in Perdition, and ſo ſtrengthen themſelves, that they ſhall afterward be laboured againſt with more Pains than Succeſs, if a ſpeedy and effectual Remedy be not provided. And therefore, as the Servants of the Living God, who not only ſend up our Supplications daily for you, but have hazarded our ſelves in your defence, we do earneſtly beſeech your Honours in the Bowels of Jeſus Chriſt, to give unto him the Glory that is due unto his Name, by a timous eſtabliſhing all his Ordinances in the full Integrity and Power thereof, according to the League and Covenant. As long as the Aſſembly of Divines was in debate, and an Enemy in the Fields, we conceive that theſe might be probable grounds of delay, which being now removed out of the way, we do promiſe our ſelves through your Wiſdom, Faithfulneſs, and Zeal, the perfecting of that which was the main ground of our Engagement, and a chief matter of Conſolation unto us in all our ſad and heavy Sufferings from the hand of a moſt cruel Enemy. We know that there is a Generation of men who retard the work of Uniformity, and foment Jealouſies betwixt the Nations, ſtudying if it were poſſible, to break our bonds aſunder: But we truſt that he that ſitteth in the Heavens will laugh, and that the Lord will have them in deriſion; that he ſhall ſpeak to them in his Wrath, and vex them in his ſore Diſpleaſure; and notwithſtanding of all that they can do, ſet his King upon his holy Hill of *Zion*, and make theſe Nations happy in the ſweet Fruits of Unity in Truth and Peace. The Searcher of hearts knows we deſire to hold faſt the band of our

Covenant

Covenant as ſacred and inviolable, being perſwaded that the breach of ſo ſolemn a Tye could not but haſten down upon our heads a Curſe and Vengeance from the Righteous Judge of the World, and involve theſe Kingdoms in further Calamities than they have yet ſeen. And we abhor to entertain any other Thoughts of you: Nay, we are confident that your Honours will ſeriouſly endeavour the Proſecution of all theſe Ends deſigned in the Covenant, and the bringing theſe Nations unto the neareſt Conjunction both in Judgment and Affection, eſpecially in thoſe things that concern Religion; which without all controverſy is the readieſt and ſureſt way of attaining and ſecuring the Peace and Proſperity of both Kingdoms. 22 *Caroli.*

Edinburgh, the 18*th* of *June*, 1646.

Subſcribed in the Name of the General Aſſembly, by the Moderator.

Robert Blair, *Moderator.*

Right Honourable,

A Letter from the General Aſſembly of the Kirk of *Scotland*, to the Lord-Mayor, Aldermen, and Common-Council of the City of *London*, 18. *June* 1646.

YOur late and ſeaſonable Teſtimony given to the Truth of the Goſpel, and your Affection to the Peace of the Kingdoms, manifeſted in your humble Remonſtrance and Petition to the Honourable Houſes of Parliament, hath ſo revived the remembrance of your former Faith and Zeal, and proclaimed you the worthy Seed of ſo Noble Anceſtors in that famous City, as we cannot but acknowledge with all Thankfulneſs the Grace of God beſtowed on you, and ſtir you up to take notice, how ſince you were precious in the Lord's ſight, you have been ever Honourable. The Lord hath ever loved you, given men for you, and people for your life: What an honour was it in the days of old, when the Fire of the Lord was in *Zion*, and his Furnace in your *Jeruſalem* (even in Queen *Mary*'s days) that there were found in you men that loved not their lives unto the death! What a glory in after times, when Satan had his Throne, and Antichriſt his Seat in the midſt of you, that there were ſtill found not a few that kept their Garments clean! But the greateſt Praiſe of the good Hand of God upon you hath been in this, That amidſt the many Miſts of Error and Hereſy, which have riſen from the bottomleſs Pit, to beſpot the Face and darken the Glory of the Church, while the Bride is a making ready for the Lamb, you have held the Truth, and moſt piouſly endeavoured the ſetling of Chriſt upon his Throne. We need not remember how zealous you have been in the Cauſe of God, nor how you have laid out your ſelves and Eſtates in the maintenance thereof, nor how many acknowledgments of the ſame you have had from the Honourable Houſes, nor how precious a remembrance will be had of you in After-Ages, for your ſelling of all to buy the Pearl of Price: We only at this time do admire, and in the inward of our hearts do bleſs the Lord for your right and deep apprehenſions of the great and important matters of Chriſt in his Royal Crown, and of the Kingdoms in their Union, while the Lord maketh offer to bring our Ship (ſo much afflicted and toſſed with Tempeſt) to the ſafe Harbour of Truth and Peace. Right memorable is your Zeal againſt Sects and Sectaries; your Care of Reformation according to the Word of God, and the Example of the beſt Reformed Churches; your earneſt endeavouring and Noble Adventures for preſerving of the Rights and Privileges of Parliament, and Liberties of the Kingdom, together with his Majeſty's juſt Power and Greatneſs; and your high Profeſſion, that it is not in the power of any Human Authority to diſcharge or abſolve you from adhering unto that our ſo ſolemnly ſworn League and Covenant, or to enforce upon you any Senſe contrary to the Letter of the ſame: Beſides your other good Services done to the Lord and to us, in ſtrengthning the hands of the Reverend Aſſembly of Divines, and of our Commiſſioners, in their aſſerting of the Government of Chriſt (which the more it be tried, will be ever found the more precious Truth) and vindicating of the ſame from the uſurpation of man, and contempt of the wicked. Theſe all, as they are ſo many Teſtimonies of your Piety, Loyalty, and undaunted Reſolution to ſtand for Chriſt; ſo are they, and ſhall ever be, ſo many Obligations upon us your Brethren, to eſteem highly of you in the Lord, and to bear you on our Breaſts before him Night and Day, and to contribute our beſt Endeavours, and to improve all Opportunities for your Encouragement.

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courageement. And now we beſeech you in the Lord, Honourable and Well-beloved, go on in this your Strength, and in the Power of his Might, who hath honoured you to be faithful. Stand faſt in the Liberty wherewith Chriſt hath made you free; and in purſuance of this Truth we are confident you will never ceaſe to ſtudy the Peace and nearer Conjunction of the Kingdoms; knowing that a Threefold Cord is not eaſily broken. Now the Lord Jeſus Chriſt himſelf, and God even our Father, which hath loved and honoured you, and given you everlaſting Conſolation and good Hope through Grace, comfort your Hearts, and ſtabliſh you in every good word and work.

Edinburgh, the 18th of *June*, 1646.

Subſcribed in the Name of the General Aſſembly, by the Moderator.

Robert Blair, *Moderator.*

A Letter from the General Aſſembly of the Kirk of *Scotland*, to the Aſſembly of Divines at *Weſtminſter*, *June* 27. 1646.

Much Honoured, and Right Reverend,

AMongſt other Fruits of this our precious Liberty, after ſuch Diſſipation by Sword and Peſtilence to meet again, we account it not the leaſt, to have the opportunity of making a publick Declaration of our earneſt Affection to all our dear Brethren of that Nation, and eſpecially to your ſelves of the Reverend Aſſembly at *Weſtminſter*. When we were lately in a very low Condition, we may ſay that our own Sufferings and Fears, altho imbitter'd with the Senſe of the Lord's diſpleaſure againſt our Lukewarmneſs and Unfaithfulneſs, did not ſo take up our heart, but that room was left to congratulate with the Lord's People there in all their Succeſſes, and to condole with them in all their Dangers. And if at any time any here hath ſeemed to be more jealous than Godly Jealouſy would allow, we know not how it can be imputed to any thing elſe, but to the vehemency of ardent Affection, and impatient deſire to have our Brethren there and Us joined nearer to Chriſt, and to one another, in all his Ordinances, and eſpecially in Presbyterial Government, ſo well warranted by the Word, and approved by experience of our own and other Reformed Churches; wherein your long and unwearied Endeavours have been bleſſed with a large Increaſe, which yet hath proved a Seed unto a further and more glorious expected Harveſt. There could not be wiſhed by mortal men a fairer Opportunity than is caſt in your Lap, being invited and charged by ſo high an Authority to give ſo free and publick a Teſtimony of thoſe Truths which formerly many of the Lord's precious ones by Tongue and Pen, by Tears and Blood, have more privately aſſerted. The ſmalleſt of Chriſt's Truths (if it be lawful to call any of them ſmall) is of greater moment than all the other Buſineſſes that ever have been debated ſince the beginning of the World to this day: But the higheſt of Honours and heavieſt of Burthens is put upon you, To declare out of the Sacred Records of Divine Truth, what is the Prerogative of the Crown, and Extent of the Scepter of Jeſus Chriſt; what Bounds are to be ſet between him ruling in his Houſe, and Powers eſtabliſhed by God on Earth; how and by whom his Houſe is to be governed, and by what ways a Reſtraint is to be put on thoſe who would pervert his Truth, and ſubvert the Faith of many. No doubt Mountains of Oppoſitions ariſe, and Gulphs of Difficulties open up themſelves in this your way; but you have found it is God that girdeth you with Strength, and maketh your way perfect and plain before you; who hath delivered, and doth deliver, and will yet deliver. We need not put you in mind, that as there lieth at this time a ſtrict Tye on all, ſo in a ſpecial manner both you and we are engaged to interpoſe our ſelves between God and theſe Kingdoms, between the Two Nations, between the King and the People, for the averting of deſerved Wrath, for continuing and increaſing a well-grounded Union, by procuring, ſo far as in us lieth, a right ſetling of Religion and Church-Government; that when we ſhall ſleep with our Fathers, the Poſterity here and abroad may be reaping the Fruits of our Labours.

We are fully aſſured of your conſtant and ſedulous promoting of this bleſſed Work, and of the Lord's aſſiſting and carrying you on therein; and are confident, that your late Experience, and preſent Senſe of the great Danger and fearful Confuſion flowing from the Riſe and Growth of Sects and Sectaries not ſuppreſſed, hath ſtirred up in your hearts moſt fervent deſires and careful endea-

endeavours for remedying of the ſame; wherein we exhort you to continue and abound, knowing that your Labours ſhall not be in vain in the Lord: To whoſe Rich Grace we commend you, and the Work in your hands. 22 *Caroli.*

Edinburgh, 27. *June*, 1646.

Subſcribed in the Name of the General Aſſembly.

Robert Blair, *Moderator.*

The Propoſitions for Peace being fully agreed upon by both Houſes, and the *Scots* Commiſſioners, a Committee was this day appointed to examine the ſaid Propoſitions, newly Engroſſed, by the Original Copy, and then ſigned by the Clerks of both Houſes, and the Commiſſioners for *Scotland*, and then to deliver them to the Parliament's Commiſſioners, who were to carry them to the King. All which being accordingly diſpatch'd, the ſaid Commiſſioners the next morning did ſet forwards with the ſaid Propoſitions towards *Newcaſtle*; Mr. *Marſhal* the Miniſter being order'd by the Commons to attend them as their Chaplain. *Monday, July 13. 1646.*

Which Propoſitions being forthwith ordered to be Printed, we ſhall here give them you *Verbatim.*

Die Sabbathi, 11. July, 1646.

The Propoſitions of the Lords and Commons aſſembled in Parliament, for a ſafe and well-grounded Peace: Sent to his Majeſty at Newcaſtle, *by the Right Honourable the Earl of* Pembroke *and* Montgomery, *the Earl of* Suffolk, *Members of the Houſe of Peers; and Sir* Walter Erle, *Sir* John Hipiſly, *Knts,* Robert Goodwyn, Luke Robinſon, *Eſqs; Members of the Houſe of Commons.* The Propoſitions for Peace from the Two Houſes, offered to his Majeſty at *Newcaſtle.*

May it pleaſe your Majeſty,

WE the Lords and Commons aſſembled in the Parliament of *England*, in the Name and on the behalf of the Kingdom of *England* and *Ireland*; and the Commiſſioners of the Parliament of *Scotland*, in the Name and on the behalf of the Kingdom of *Scotland*, Do humbly preſent unto your Majeſty the humble Deſires and Propoſitions for a ſafe and well-grounded Peace, agreed upon by the Parliaments of both Kingdoms reſpectively, unto which we do pray your Majeſty's Aſſent: And that they, and all ſuch Bills as ſhall be tendered to your Majeſty in purſuance of them, or any of them, may be eſtabliſhed and enacted for Statutes and Acts of Parliament, by your Majeſty's Royal Aſſent, in the Parliament of both Kingdoms reſpectively.

1. Whereas both Houſes of the Parliament of *England* have been neceſſitated to undertake a War in their juſt and lawful Defence; and afterwards both Kingdoms of *England* and *Scotland* joined in Solemn League and Covenant, were engaged to proſecute the ſame;

That by Act of Parliament in each Kingdom reſpectively, all Oaths, Declarations, and Proclamations heretofore had, or hereafter to be had againſt both or either of the Houſes of Parliament of *England*, the Parliaments of the Kingdom of *Scotland*, and the late Convention of Eſtates in *Scotland*, or the Committees flowing from the Parliament or Convention in *Scotland*, or their Ordinances and Proceedings, or againſt any for adhering unto them, or for doing or executing any Office, Place, or Charge, by any Authority derived from them; and all Judgments, Indictments, Outlawries, Attainders, and Inquiſitions in any the ſaid Cauſes; and all Grants thereupon had or made, or to be made or had, be declared null, ſuppreſſed, and forbidden: And that this be publickly intimated in all Pariſh-Churches within his Majeſty's Dominions, and all other places needful.

2. That his Majeſty, according to the laudable Example of his Royal Father of happy Memory, may be pleaſed to Swear and Sign the late Solemn League and Covenant: And that an Act of Parliament be paſſed in both Kingdoms reſpectively, for enjoining the taking thereof by all the Subjects of the Three Kingdoms; and the Ordinances concerning the manner of taking the ſame in both Kingdoms, be confirmed by Acts of Parliament reſpectively, with ſuch Penalties as by mutual Advice of both Kingdoms ſhall be agreed upon.

3. That

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3. That a Bill be paſſed for the utter aboliſhing and taking away of all Archbiſhops, Biſhops, their Chancellors and Commiſſaries, Deans and Sub-Deans, Deans and Chapters, Archdeacons, Canons and Prebendaries, and all Chaunters, Chancellors, Treaſurers, Sub-Treaſurers, Succentors and Sacriſts, and all Vicars Choril and Choriſters, old Vicars and new Vicars of any Cathedral or Collegiate Church, and all other Under-Officers, out of the Church of *England*, and Dominion of *Wales*, and out of the Church of *Ireland*; with ſuch Alterations concerning the Eſtates of Prelates, as ſhall agree with the Articles of the late Treaty, of the date at *Edinburgh*, 29. *November*, 1643. and joint Declaration of both Kingdoms.

4. That the Ordinances concerning the calling and ſitting of the Aſſembly of Divines, be confirmed by Act of Parliament.

5. That Reformation of Religion according to the Covenant, be ſetled by Act of Parliament, in ſuch manner as both Houſes have agreed, or ſhall agree upon, after Conſultation had with the Aſſembly of Divines.

6. Foraſmuch as both Kingdoms are mutually obliged by the ſame Covenant to endeavour the neareſt Conjunction and Uniformity in matters of Religion, according to the Covenant, as after Conſultation had with the Divines of both Kingdoms aſſembled, is or ſhall be jointly agreed upon by both Houſes of Parliament of *England*, and by the Church and Kingdom of *Scotland*, be confirmed by Acts of Parliament of both Kingdoms reſpectively.

7. That for the more effectual diſabling Jeſuits, Prieſts, Papiſts, and Popiſh Recuſants from diſturbing the State, and deluding the Laws; and for the better diſcovering and ſpeedy Conviction of Recuſants, an Oath be eſtabliſhed by Act of Parliament, to be adminiſtred to them, wherein they ſhall abjure and renounce the Pope's Supremacy, the Doctrine of Tranſubſtantiation, Purgatory, worſhipping of the conſecrated Hoſt, Crucifixes and Images, and all other Popiſh Superſtitions and Errors: And refuſing the ſaid Oath, being tender'd in ſuch manner as ſhall be appointed by the ſaid Act, to be a ſufficient Conviction of Recuſancy.

8. An Act of Parliament for Education of the Children of Papiſts, by Proteſtants, in the Proteſtant Religion.

9. An Act for the true Levy of the Penalties againſt them; which Penalties to be levied and diſpoſed in ſuch manner as both Houſes ſhall agree on; wherein to be provided, that his Majeſty ſhall have no loſs.

10. That an Act be paſſed in Parliament, whereby the Practices of Papiſts againſt the State may be prevented, and the Laws againſt them duly executed, and a ſtricter courſe taken to prevent the ſaying or hearing of Maſs in the Court, or any other part of this Kingdom.

11. The like for the Kingdom of *Scotland*, concerning the four laſt preceding Propoſitions, in ſuch manner as the Eſtates of the Parliament there ſhall think fit.

12. That the King do give his Royal Aſſent to an Act for the due Obſervation of the Lord's-Day.

And to the Bill for the Suppreſſion of Innovations in Churches and Chappels, in and about the Worſhip of God, *&c.*

And for the better Advancement of the Preaching of God's Holy Word in all Parts of this Kingdom.

And to the Bill againſt the enjoying of Pluralities of Benefices by Spiritual Perſons, and Non-Reſidency.

And to an Act to be framed and agreed upon by both Houſes of Parliament, for the reforming and regulating of both Univerſities, of the Colleges of *Weſtminſter*, *Wincheſter*, and *Eaton*.

And to ſuch Act or Acts for raiſing of Moneys for the Payment and Satisfaction of the Publick Debts and Damages of the Kingdom, and other Publick Uſes, as ſhall hereafter be agreed on by both Houſes of Parliament: And that if the King doth not give his Aſſent thereunto, then it being done by both Houſes of Parliament, the ſame ſhall be as valid to all Intents and Purpoſes, as if the Royal Aſſent had been given thereunto.

The like for the Kingdom of *Scotland*.

And that his Majeſty give Aſſurance of his conſenting in the Parliament of *Scotland*, to an Act acknowledging and ratifying the Acts of the Convention

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tion of Eſtates of *Scotland*, called by the Council and Conſervers of the Peace, and the Commiſſioners for the common Burthens, and aſſembled the 22*d* of *June*, 1643. and ſeveral times continued ſince, and of the Parliament of that Kingdom ſince convened.

13. That the Lords and Commons in the Parliament of *England* aſſembled, ſhall during the ſpace of Twenty Years, from the Firſt of *July*, 1646. Arm, Train, and Diſcipline, or cauſe to be armed, trained, and diſciplined, all the Forces of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Iſles of *Guernſey* and *Jerſey*, and the Town of *Berwick upon Tweed*, already raiſed both for Sea and Land Service; and ſhall arm, train, and diſcipline, or cauſe to be raiſed, levied, armed, trained, and diſciplined, any other Forces for Land and Sea Service, in the Kingdoms, Dominions, and Places aforeſaid, as in their Judgments they ſhall from time to time, during the ſaid ſpace of Twenty Years, think fit and appoint: And that neither the King, his Heirs or Succeſſors, nor any other but ſuch as ſhall act by the Authority or Approbation of the ſaid Lords and Commons, ſhall during the ſaid ſpace of Twenty Years exerciſe any of the Powers aforeſaid.

And the like for the Kingdom of *Scotland*, if the Eſtates of the Parliament there ſhall think fit.

That Moneys be raiſed and Levied for the Maintenance and Uſe of the ſaid Forces for Land Service, and of the Navy and Forces for Sea-Service, in ſuch ſort and by ſuch ways and means as the ſaid Lords and Commons ſhall from time to time, during the ſaid ſpace of Twenty Years, think fit and appoint, and not otherwiſe. That all the ſaid Forces both for Land and Sea-Service, ſo raiſed or levied, or to be raiſed or levied; and alſo the Admiralty and Navy ſhall from time to time, during the ſaid ſpace of Twenty Years, be employed, managed, ordered and diſpoſed by the ſaid Lords and Commons, in ſuch ſort and by ſuch ways and means as they ſhall think fit and appoint, and not otherwiſe. And the ſaid Lords and Commons, during the ſaid ſpace of Twenty Years, ſhall have Power,

1. To ſuppreſs all Forces raiſed or to be raiſed, without Authority and Conſent of the ſaid Lords and Commons, to the Diſturbance of the Publick Peace of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Iſles of *Guernſey* and *Jerſey*, and the Town of *Berwick upon Tweed*, or any of them.

2. To ſuppreſs any Foreign Forces who ſhall invade or endeavour to invade the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Iſles of *Guernſey* and *Jerſey*, and the Town of *Berwick upon Tweed*, or any of them.

3. To conjoin ſuch Forces of the Kingdom of *England* with the Forces of the Kingdom of *Scotland*, as the ſaid Lords and Commons ſhall from time to time, during the ſaid ſpace of Twenty Years, judge fit and neceſſary; to reſiſt all Foreign Invaſions, and to ſuppreſs any Forces raiſed or to be raiſed againſt or within either of the ſaid Kingdoms, to the diſturbance of the Publick Peace of the ſaid Kingdoms, or any of them, by any Authority under the Great Seal, or other Warrant whatſoever, without Conſent of the ſaid Lords and Commons of the Parliament of *England*, and the Parliament, or the Eſtates of the Parliament of *Scotland* reſpectively. And that no Forces of either Kingdom ſhall go into or continue in the other Kingdom, without the Advice and Deſire of the ſaid Lords and Commons of the Parliament of *England*, and the Parliament of the Kingdom of *Scotland*, or ſuch as ſhall be by them appointed for that purpoſe. And that after the Expiration of the ſaid Twenty Years, neither the King, his Heirs or Succeſſors, or any Perſon or Perſons, by colour or pretence of any Commiſſion, Power, Deputation, or Authority, to be derived from the King, his Heirs or Succeſſors, or any of them, ſhall raiſe, arm, train, diſcipline, employ, order, manage, disband, or diſpoſe of any of the Forces by Sea or Land, of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Iſles of *Guernſey* and *Jerſey*, and the Town of *Berwick upon Tweed*: Nor exerciſe any of the ſaid Powers or Authorities in the precedent Articles mentioned and expreſſed to be during the ſaid ſpace of Twenty Years, in the ſaid Lords and Commons: Nor do any Act or Thing concerning the Execution of the ſaid Powers or Authorities, or any of them, without the Conſent of the ſaid Lords and Commons firſt had and obtained. That after

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ter the Expiration of the ſaid Twenty Years, in all Caſes wherein the Lords and Commons ſhall declare the Safety of the Kingdom to be concerned, and ſhall thereupon paſs any Bill or Bills, for the raiſing, arming, diſciplining, employing, managing, ordering, or diſpoſing of the Forces by Sea or Land, of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Iſles of *Guernſey* and *Jerſey*, and the Town of *Berwick upon Tweed*, or of any part of the ſaid Forces, or concerning the Admiralty and Navy, or concerning the levying of Moneys for the raiſing, maintenance, or uſe of the ſaid Forces for Land Service, or of the Navy, and Forces for Sea Service, or of any part of them: And if that the Royal Aſſent to ſuch Bill or Bills ſhall not be given in the Houſe of Peers within ſuch time after the paſſing thereof by both Houſes of Parliament, as the ſaid Houſes ſhall judge fit and convenient, That then ſuch Bill or Bills ſo paſſed by the ſaid Lords and Commons as aforeſaid, and to which the Royal Aſſent ſhall not be given as is herein before expreſſed, ſhall nevertheleſs after Declaration of the ſaid Lords and Commons made in that behalf, have the force and ſtrength of an Act or Acts of Parliament, and ſhall be as valid to all intents and purpoſes, as if the Royal Aſſent had been given thereunto.

Provided, That nothing herein before contained, ſhall extend to the taking away of the ordinary Legal Power of Sheriffs, Juſtices of Peace, Mayors, Bayliffs, Coroners, Conſtables, Headboroughs, or other Officers of Juſtice, not being Military Officers, concerning the Adminiſtration of Juſtice; ſo as neither the ſaid Sheriffs, Juſtices of the Peace, Mayors, Bayliffs, Coroners, Conſtables, Headboroughs, and other Officers, nor any of them, do levy, conduct, employ, or command any Forces whatſoever, by colour or pretence of any Commiſſion of Array, or extraordinary Command from his Majeſty, his Heirs or Succeſſors, without the Conſent of the ſaid Lords and Commons.

And if any perſons ſhall be gathered and aſſembled together in Warlike manner or otherwiſe, to the Number of Thirty Perſons, and ſhall not forthwith disband themſelves, being required thereto by the ſaid Lords and Commons, or Command from them or any of them, eſpecially authorized for that purpoſe, then ſuch perſon or perſons not ſo disbanding themſelves, ſhall be guilty and incur the pains of High-Treaſon, being firſt declared guilty of ſuch Offence by the ſaid Lords and Commons; any Commiſſion under the Great Seal, or other Warrant to the contrary notwithſtanding. And he or they that ſhall offend herein, to be incapable of any Pardon from his Majeſty, his Heirs or Succeſſors, and their Eſtates ſhall be diſpoſed as the ſaid Lords and Commons ſhall think fit, and not otherwiſe.

Provided, That the City of *London* ſhall have and enjoy all their Rights, Liberties, and Franchiſes, Cuſtoms and Uſages, in the raiſing and employing the Forces of that City, for the defence thereof, in full and ample manner, to all intents and purpoſes, as they have or might have uſed or enjoyed the ſame, at any time before the making of the ſaid Act or Propoſition; to the end that City may be fully aſſured it is not the intention of the Parliament to take from them any Privileges or Immunities in raiſing or diſpoſing of their Forces, which they have or might have uſed or enjoyed heretofore.

* The like for the Kingdom of *Scotland*, if the Eſtates of the Parliament there ſhall think fit.

14. That by Act of Parliament, all Peers made ſince the day that *Edward* Lord *Littleton*, then Lord Keeper of the Great Seal, deſerted the Parliament, and that the ſaid Great Seal was ſurreptitiouſly conveyed away from the Parliament, being the 21*ſt* day of *May*, 1642. and who ſhall be hereafter made, ſhall not Sit or Vote in the Parliament of *England*, without Conſent of both Houſes of Parliament. And that all Honour and Title conferred on any without Conſent of both Houſes of Parliament, ſince the 20*th* of *May*, 1642. being the day that both Houſes declared, That the King, ſeduced by Evil Counſel, intended to raiſe War againſt the Parliament, be declared null and void.

The like for the Kingdom of *Scotland*; thoſe being excepted, whoſe Patents were paſſed the Great Seal before the 14*th* of *June*, 1644.

15. That an Act be paſſed in the Parliaments of both Houſes reſpectively, for Confirmation of the Treaties paſſed betwixt the Two Kingdoms; (*viz.*)

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The Large Treaty; the late Treaty for the coming of the *Scots* Army into *England*, and the ſetling of the Gariſon of *Berwick*, of the 29*th* of *November*, 1643. and the Treaty between *Ireland*, of the 6*th* of *Auguſt*, 1642. for the bringing of 10000 *Scots* into the Province of *Ulſter* in *Ireland*; with all other Ordinances and Proceedings paſſed betwixt the Two Kingdoms, and whereunto they are obliged by the aforeſaid Treaties.

And that *Algernoon* Earl of *Northumberland*, *John* Earl of *Rutland*, *Philip* Earl of *Pembroke* and *Montgomery*, *Robert* Earl of *Eſſex*, *Theophilus* Earl of *Lincoln*, *James* Earl of *Suffolk*, *Robert* Earl of *Warwick*, *Edward* Earl of *Mancheſter*, *Henry* Earl of *Stanford*, *Francis* Lord *Dacres*, *Philip* Lord *Wharton*, *Francis* Lord *Willoughby*, *Dudly* Lord *North*, *John* Lord *Hunſdon*, *William* Lord *Gray*, *Edward* Lord *Howard* of *Eſcrick*, *Thomas* Lord *Bruce*, *Ferdinando* Lord *Fairfax*, Mr. *Nathanael Fines*, Sir *William Armin*, Sir *Philip Stapleton*, Sir *Henry Vane* Senior, Mr. *William Pierpoint*, Sir *Edward Aiſcough*, Sir *William Strickland*, Sir *Arthur Haſlerig*, Sir *John Fenwick*, Sir *William Brereton*, Sir *Thomas Widdrington*, Mr. *John Toll*, Mr. *Gilbert Millington*, Sir *William Conſtable*, Sir *John Wray*, Sir *Henry Vane* Junior, Mr. *Henry Darley*, *Oliver St. John*, Eſq; his Majeſty's Solicitor General, Sir *Denzil Hollis*, Mr. *Alexander Rigby*, Mr. *Cornelius Holland*, Mr. *Samuel Vaſſel*, Mr. *Peregrine Pelham*, *John Glyn*, Eſq; Recorder of *London*, Mr. *Henry Martin*, Mr. Alderman *Hoyle*, Mr. *John Blackiſton*, Mr. Serjeant *Wilde*, Mr. *Richard Barrois*, Sir *Anthony Irby*, Mr. *Aſhburſt*, Mr. *Billingham*, and Mr. *Tolſon*, Members of both Houſes of the Parliament of *England*, ſhall be the Commiſſioners for the Kingdom of *England*, for Conſervation of the Peace between the Two Kingdoms; to act according to the Powers in that behalf expreſſed in the Articles of the Large Treaty, and not otherwiſe.

That his Majeſty give his Aſſent to what the Two Kingdoms ſhall agree upon, in proſecution of the Articles of the Large Treaty, which are not yet finiſhed.

16. That an Act be paſſed in the Parliaments of both Kingdoms reſpectively, for eſtabliſhing the joint Declaration of both Kingdoms, bearing date the 30*th* of *January*, 1643. in *England*, and 1644. in *Scotland*; with the Qualifications enſuing:

1ſt Qualification. That the Perſons who ſhall expect no Pardon, be only theſe following, *Rupert* and *Maurice* Count *Palatines* of the *Rhine*, *James* Earl of *Derby*, *John* Earl of *Briſtol*, *William* Earl of *Newcaſtle*, *Francis* Lord *Cottington*, *George* Lord *Digby*, *Matthew Wren* Biſhop of *Ely*, Sir *Robert Heath* Knt. Dr. *Bramhall* Biſhop of *Derry*, Sir *William Widrington*, Col. *George Goring*, *Henry Jermin* Eſq; Sir *Ralph Hopton*, Sir *John Biron*, Sir *Francis Doddington*, Sir *Francis Strangeways*, Mr. *Endimion Porter*, Sir *George Radcliff*, Sir *Marmaduke Langdale*, *Henry Vaughan* Eſq; now called Sir *Henry Vaughan*, Sir *Francis Windebank*, Sir *Richard Greenvill*, Mr. *Edward Hide*, now called Sir *Edward Hide*, Sir *John Marley*, Sir *Nicholas Cole*, Sir *Thomas Riddill* Junior, Sir *John Culpepper*, Mr. *Richard Lloyd*, now called Sir *Richard Lloyd*, Mr. *David Jenkins*, Sir *George Strode*, *George Carteret* Eſq; now called Sir *George Carteret*, Sir *Charles Dalliſon* Knt. *Richard Lane* Eſq; now called Sir *Richard Lane*, Sir *Edward Nicholas*, *John Aſhburnham*, Eſq; Sir *Edward Herbert* Knt. Attorney-General, Earl of *Traquaire*, Lord *Harris*, Lord *Ray*, *George Gourdon*, ſometime Marqueſs of *Huntly*, *James Graham*, ſometime Earl of *Montroſs*, *Robert Maxwel*, late Earl of *Nithſdale*, *Robert Dalyel*, ſometime Earl of *Carnewarth*, *James Gourdon*, ſometime Viſcount of *Aboyne*, *Lodowick Linſey*, ſometime Earl of *Crawford*, *James Ogley*, ſometime Earl of *Airby*, *James Ogley*, ſometime Lord *Ogley*, *Patrick Ruthen*, ſometime Earl of *Forth*, *James King*, ſometimes Lord *Itham*, *Aleſter Macdonald*, *Irwin Younger* of *Drunim*, *Gordan Younger* of *Gight*, *Leſley* of *Auchentoul*, Col. *John Cockram*, *Graham* of *Gorthie*, Mr. *John Maxwell*, ſometime pretended Biſhop of *Roſs*: And all ſuch others as being proceſſed by the Eſtates for Treaſon, ſhall be condemned before the Act of Oblivion be paſſed.

Perſons excepted from Pardon.

2d Qualification. All Papiſts and Popiſh Recuſants, who have been, now are, or ſhall be actually in Arms, or voluntarily aſſiſting againſt the Parliament or Eſtates of either Kingdom; and by Name, The Marqueſs of *Winton*, Earl of *Worceſter*, *Edward* Lord *Herbert* of *Ragland*, Son to the Earl of *Worceſter*, Lord *Brudenell*, *Caryl Mollineux* Eſq; Lord *Arundel* of *Warder*, Sir *Francis Howard*, Sir *John Winter*, Sir *Charles Smith*, Sir *John Preſton*, Sir *Bazil Brooke*, Lord *Audley*

Papiſts.

An. 1646.

Perſons concern'd in the *Iriſh* Rebellion excepted.

Perſons to be removed from Court.

ley Earl of *Caſtlehaven* in the Kingdom of *Ireland*, *William Sheldon* of *Beely* Eſq; Sir *Henry Beddingfield*.

3*d Qualification.* All Perſons who have had any hand in the plotting, deſigning, or aſſiſting the Rebellion of *Ireland*, except ſuch perſons who have only aſſiſted the ſaid Rebellion, have rendred themſelves, or come in to the Parliament of *England*.

4*th Qualification.* That *Humphrey Bennet* Eſq; Sir *Edward Ford*, Sir *John Penruddock*, Sir *George Vaughan*, Sir *John Weld*, Sir *Robert Lee*, Sir *John Pate*, *John Ackland*, *Edmund Windham* Eſq; Sir *John Fitzherbert*, Sir *Edward Lawrence*, Sir *Ralph Dutton*, *Henry Lingen* Eſq; Sir *William Ruſſel* of *Worceſterſhire*, *Thomas Lee* of *Adlington* Eſq; Sir *John Girlington*, Sir *Paul Neale*, Sir *William Thorold*, Sir *Edward Huſſey*, Sir *Thomas Liddell* Senior, Sir *Philip Muſgrave*, Sir *John Digby* of *Nottinghamſhire*, Sir *Henry Fletcher*, Sir *Richard Mynſhall*, *Lawrence Halſteed*, *John Denham* Eſq; Sir *Edmund Forteſcue*, *Peter Sainthil* Eſq; Sir *Thomas Tildſley*, Sir *Henry Griffith*, *Michael Wharton* Eſq; Sir *Henry Spiller*, Mr. *George Benyon*, now called Sir *George Benyon*, Sir *Edward Walgrave*, Sir *Robert Owſeley*, Sir *John Many*, Lord *Cholmley*, Sir *Thomas Acton*, Sir *Lewis Dives*, Sir *Peter Osborne*, *Samuel Thornton*, Eſq; Sir *John Lucas*, *John Blaney* Eſq; Sir *Thomas Chedle*, Sir *Nicholas Kemiſh*, *Hugh Lloyd* Eſq; Sir *Nicholas Criſpe*, Sir *Peter Ricaut*.

And all ſuch of the *Scotiſh* Nation as have concurred in the Votes at *Oxford*, againſt the Kingdom of *Scotland* and their Proceedings, or have ſworn or ſubſcribed the Declaration againſt the Convention and Covenant; and all ſuch as have aſſiſted the Rebellion in the *North*, or the Invaſion in the *South* of the ſaid Kingdom of *Scotland*, or the late Invaſion made there by the *Iriſh*, and their Adherents, be removed from his Majeſty's Councils; and be reſtrained from coming within the Verge of the Court; and that they may not without the Advice and Conſent of both Houſes of the Parliament of *England*, or the Eſtates in the Parliament of *Scotland* reſpectively, bear any Office, or have any Employment concerning the State or Commonwealth: And in caſe any of them ſhould offend therein, to be guilty of High Treaſon, and incapable of any Pardon from his Majeſty, and their Eſtates to be diſpoſed of as both Houſes of the Parliament of *England*, or the Eſtates of the Parliament in *Scotland* reſpectively ſhall think fit: And that one full Third Part upon full Value of the Eſtates of the Perſons aforeſaid, made incapable of Employment as aforeſaid, be employed for the Payment of the Publick Debts and Damages, according to the Declaration.

Perſons who deſerted the Parliament at *Weſtminſter*, and went to *Oxford*, excepted.

1*ſt Branch.* That the late Members, or any who pretended themſelves late Members of either Houſe of Parliament, who have not only deſerted the Parliament, but have alſo ſat in the Unlawful Aſſembly at *Oxford*, called or pretended by ſome to be a Parliament, and voted both Kingdoms Traytors, and have not voluntarily rendred themſelves before the laſt of *October*, 1644. be removed from his Majeſty's Councils, and be reſtrained from coming within the Verge of the Court; and that they may not, without Advice and Conſent of both Kingdoms, bear any Office, or have any Employment concerning the State or Commonwealth. And in caſe any of them ſhall offend therein, to be guilty of High-Treaſon, and be incapable of any Pardon by his Majeſty; and their Eſtates to be diſpoſed as both Houſes of Parliament in *England*, or the Eſtates of the Parliament of *Scotland* reſpectively ſhall think fit.

Members who ſat at the Parliament at *Oxford*, excepted.

2*d Branch.* That the late Members, or any who pretended themſelves Members of either Houſe of Parliament, who have ſat in the Unlawful Aſſembly at *Oxford*, called or pretended by ſome to be a Parliament, and have not voluntarily rendred themſelves before the laſt of *October*, 1644. be removed from his Majeſty's Councils, and reſtrained from coming within the Verge of the Court; and that they may not without the Advice and Conſent of both Houſes of Parliament, bear any Office, or have any Employment concerning the State or Commonwealth. And in caſe any of them ſhall offend therein, to be guilty of High-Treaſon, and incapable of any Pardon from his Majeſty, and their Eſtates to be diſpoſed of as both Houſes of the Parliament of *England* ſhall think fit.

Members of Parliament who have deſerted, excepted.

3*d Branch.* That the late Members, or any who pretended themſelves Members of either Houſe of Parliament, who have deſerted the Parliament, and adher'd to the Enemies thereof, and have not render'd themſelves before the laſt

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laſt of *October*, 1644. be removed from his Majeſty's Councils, and be reſtrained from coming within the Verge of the Court; and that they may not without the Advice and Conſent of both Houſes of Parliament, bear any Office, or have any Employment concerning the State or Commonwealth. And in caſe any of them ſhall offend therein, to be guilty of High Treaſon, and incapable of any Pardon from his Majeſty, and their Eſtates to be diſpoſed as both Houſes of Parliament in *England* ſhall think fit.

Judges and Civil Officers who have deſerted the Parliament, excepted.

5th Qualification. That all Judges and Officers towards the Law, Common or Civil, who have deſerted the Parliament, and adhered to the Enemies thereof, be incapable of any Place of Judicature, or Office towards the Law, Common or Civil. And that all Serjeants, Counſellors, and Attorneys, Doctors, Advocates, and Proctors of the Law, Common or Civil, either in publick or private; and ſhall not be capable of any Preferment or Employment in the Commonwealth, without the Advice and Conſent of both Houſes of Parliament. And that no Biſhop or Clergyman, no Maſter or Fellow of any College or Hall in either of the Univerſities, or elſewhere; or any Maſter of School or Hoſpital, or any Eccleſiaſtical Perſon, who hath deſerted the Parliament, and adhered to the Enemies thereof, ſhall hold or enjoy, or be capable of any Preferment or Employment in Church or Commonwealth: But all their ſaid ſeveral Preferments, Places and Promotions, ſhall be utterly void, as if they were naturally dead: Nor ſhall they otherwiſe uſe their Function of the Miniſtry, without Advice and Conſent of both Houſes of Parliament: Provided, That no Lapſe ſhall incur by this Vacancy, until Six Months paſt after notice thereof.

Perſons who have born Arms againſt the Parliament excepted.

6th Qualification. That all perſons who have been actually in Arms againſt the Parliament, or have counſelled or voluntarily aſſiſted the Enemies thereof, are diſabled to be Sheriffs, Juſtices of the Peace, Mayors, or other Head-Officers of any City or Corporation, Commiſſioners of *Oyer* and *Terminer*, or to ſit or ſerve as Members or Aſſiſtants in either of the Houſes of Parliament, or to have any Military Employments in this Kingdom, without the Conſent of both Houſes of Parliament.

7th Qualification. The Perſons of all others to be free of all Perſonal Cenſure, notwithſtanding any Act or Thing done, in or concerning this War, they taking the Covenant.

Eſtates of excepted Perſons to be ſold, to pay Publick Debts; and the manner how.

8th Qualification. The Eſtates of thoſe perſons excepted in the firſt Three precedent Qualifications, and the Eſtates of *Edward* Lord *Littleton*, and of *William Laud*, late Archbiſhop of *Canterbury*, to pay publick Debts and Damages.

9th Qualification. 1ſt Branch. That Two full parts in Three, to be divided of all the Eſtates of the Members of either Houſe of Parliament, who have not only deſerted the Parliament, but have alſo voted both Kingdoms Traytors, and have not rendred themſelves before the firſt of *December*, 1645. ſhall be taken and employed for the Payment of the publick Debts and Damages of the Kingdom.

2d Branch. That Two full parts in Three to be divided of the Eſtates of ſuch late Members of either Houſe of Parliament, as ſat in the Unlawful Aſſembly at *Oxford*, and ſhall not have rendred themſelves before the firſt of *December*, 1645. ſhall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

3d Branch. That one full Moiety of the Eſtates of ſuch perſons, late Members of either of the Houſes of Parliament, who have deſerted the Parliament, and adhered to the Enemies thereof, and ſhall not have rendred themſelves before the firſt of *December*, 1645. ſhall be taken and employed for the Payment of the publick Debts and Damages of the Kingdom.

A Third part of the Forfeited Eſtates to pay publick Debts and Damages.

10th Qualification. That a full Third part of the Value of the Eſtates of all Judges and Officers towards the Law, Common or Civil; and of all Serjeants, Counſellors, and Attorneys, Doctors, Advocates, and Proctors of the Law, Common or Civil; and of all Biſhops, Clergymen, Maſters and Fellows of any College or Hall in either of the Univerſities, or elſewhere; and of all Maſters and Hoſpitals, and of Eccleſiaſtical perſons, who have deſerted the Parliament, and adhered to the Enemies thereof, and have not rendred themſelves before the firſt of *December*, 1645. ſhall be taken and employed for the payment of publick Debts and Damages of the Kingdom.

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That a full Sixth part on the Value of Three States of the perſons excepted in the Sixth Qualification, concerning ſuch as have been actually in Arms againſt the Parliament, or have counſelled or voluntarily aſſiſted the Enemies thereof, and are diſabled according to the ſaid Qualification, to be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

Perſons not having Eſtates valued not at 200 *l.* and under, to be diſcharged.

11*th Qualification.* That the Perſons and Eſtates of all Common Soldiers and others of the Kingdom of *England*, who in Lands or Goods be not worth Two Hundred Pounds *Sterling*, and the Perſons and Eſtates of all Common Soldiers and others of the Kingdom of *Scotland*, who in his Lands or Goods be not worth One Hundred Pounds *Sterling*, be at liberty and diſcharged.

1*ſt Branch.* This Propoſition to ſtand as to the *Engliſh*, and as to the *Scots* likewiſe, if the Parliament of *Scotland*, or their Commiſſioners, ſhall think fit.

2*d Branch.* That the firſt of *May* laſt, is now the day limited for the perſons to come in, that are comprized within the former Qualification.

To paſs an Act for paying the Debts of the Kingdom.

That an Act be paſs'd, whereby the Debts of the Kingdom and the Perſons of Delinquents, and the Value of their Eſtates may be known: And which Act ſhall appoint in what manner the Confiſcations and Proportions before-mentioned, may be levied and applied to the diſcharge of the ſaid Engagements.

And likewiſe for *Scotland*.

The like for the Kingdom of *Scotland*, if the Eſtates of the Parliament, or ſuch as ſhall have power from them, ſhall think fit.

An Act to paſs, to make no Ceſſation in *Ireland*, without Conſent of both Houſes of Parliament.

12. That an Act of Parliament be paſſed, to declare and make void the Ceſſation of *Ireland*, and all Treaties and Concluſions of Peace, or any Articles thereupon with the Rebels, without Conſent of both Houſes of Parliament: And to ſettle the proſecution of the Wars of *Ireland*, as both Houſes of the Parliament of *England* have agreed, or ſhall agree upon, after Conſultation had with the Aſſembly of Divines here.

That the Deputy, or Chief Governor, or other Governors of *Ireland*, and the Preſidents of the ſeveral Provinces of that Kingdom, be nominated by both the Houſes of the Parliament of *England*; or in the Intervals of Parliament, by ſuch Committees of both Houſes of Parliament, as both Houſes of the Parliament of *England* ſhall nominate and appoint for that purpoſe. And that the Chancellor, or Lord Keeper, Lord Treaſurer, Commiſſioners of the Great Seal, or Treaſury, Lord Warden of the Cinque-Ports, Chancellor of the Exchequer and Dutchy, Secretaries of State, Maſter of the Rolls, Judges of both Benches, and Barons of the Exchequer, of the Kingdoms of *England* and *Ireland*, and the Vice-Treaſurer, and Treaſurer at War, of the Kingdom of *Ireland*, be nominated by both Houſes of the Parliament of *England*, to continue *Quam diù ſe bene geſſerint*; and in the Intervals of Parliament, by the aforementioned Committees; to be approved or diſallowed by both Houſes at their next ſitting.

The like for the Kingdom of *Scotland*, concerning the Nomination of the Lords of the Privy-Council, Lords of Seſſion and Exchequer, Officers of State, and Juſtice-General, in ſuch manner as the Eſtates of Parliament there ſhall think fit.

About the Militia of *London*.

13. That the Militia of the City of *London*, and Liberties thereof, may be in the ordering and Government of the Lord-Mayor, Aldermen, and Commons in Council aſſembled, or ſuch as they ſhall from time to time appoint, (whereof the Lord-Mayor and Sheriffs for the time being, to be Three), to be employed and directed from time to time, in ſuch manner as ſhall be agreed on and appointed by both Houſes of Parliament.

That no Citizen of the City of *London*, nor any of the Forces of the ſaid City, ſhould be drawn forth, or compelled to go out of the ſaid City, or Liberties thereof, for Military Service, without their own free Conſent.

The Charters of *London* to be confirm'd.

That an Act be paſſed for granting and confirming of the Charters, Cuſtoms, Liberties, and Franchiſes of the City of *London*, notwithſtanding any *Nonuſer*, *Miſuſer*, or *Abuſer*.

The Lieutenant of the Tower to be nam'd by the City of *London*.

That the *Tower* of *London* may be in the Government of the City of *London*, and the Chief Officer and Governor thereof, from time to time, be nominated and removable by the Common-Council. And for prevention of Inconveniences which may happen by the long Intermiſſion of Common-Councils, it is deſired that there may be an Act, That all By-Laws and Ordinances

ces already made, or hereafter to be made by the Lord-Mayor, Aldermen, and Commons in Common-Council aſſembled, touching the calling, continuing, directing and regulating the ſaid Common-Councils, be as effectual in Law to all intents and purpoſes, as if the ſame were particularly enacted by the Authority of Parliament. And that the Lord-Mayor, Aldermen, and Commons in Common-Council, may add to, or repeal the ſaid Ordinances from time to time, as they ſhall ſee cauſe. 22 *Caroli.*

That ſuch other Propoſitions as ſhall be made for the City, for their further Safety, Welfare, and Government, and ſhall be approved of by both Houſes of Parliament, may be granted and confirmed by Act of Parliament.

14. That all Grants, Commiſſions, Preſentations, Writs, Proceſſes, Proceedings, and other things paſſed under the Great Seal of *England*, in the Cuſtody of the Lords and others Commiſſioners appointed by both Houſes of Parliament for the Cuſtody thereof, and by Act of Parliament with the Royal Aſſent, ſhall be declared and enacted to be of like Force and Effect to all intents and purpoſes, as the ſame or like Grants, Commiſſions, Preſentations, Writs, Proceſſes, Procceedings, and other things under any Great Seal of *England* in any time heretofore were or have been: And that for time to come, the ſaid Great Seal, now remaining in cuſtody of the ſaid Commiſſioners, continue and be uſed for the Great Seal of *England*. And that all Grants, Commiſſions and Preſentations, Writs, Proceſſes, Proceedings, and other things whatſoever, paſſed under or by Authority of any other Great Seal ſince the 22*d* day of *May*, *Anno Dom.* 1642. or hereafter to be paſſed, be invalid, and of no effect to all intents and purpoſes. Except ſuch Writs, Proceſs and Commiſſions, as being paſſed under any other Great Seal than the ſaid Great Seal in the cuſtody of the Commiſſioners aforeſaid, on or after the ſaid 22*d* of *May*, and before the 28*th* day of *November*, *Anno Dom.* 1643. were afterwards proceeded upon, returned into, or put in uſe in any of the King's Courts at *Weſtminſter*; and except the Grant to Mr. Juſtice *Bacon* to be one of the Juſtices of the *King's-Bench*; and except all Acts and Proceedings by virtue of any ſuch Commiſſions of Gaol-Delivery, Aſſize, and *Niſi prius*, or *Oyer* and *Terminer*, paſſed under any Great Seal than the Seal aforeſaid, in the Cuſtody of the ſaid Commiſſioners, before the firſt of *October*, 1642. All things paſs'd the Great Seal by the Commiſſioners, to be declar'd to be of full force.

And that all Grants of Offices, Lands, Tenements, or Hereditaments, made or paſſed under the Great Seal of *Ireland*, unto any Perſon or Perſons, Bodies Politick or Corporate, ſince the Ceſſation made in *Ireland* the 15*th* day of *September*, 1643. ſhall be null and void. And that all Honours and Titles conferr'd upon any perſon or perſons in the ſaid Kingdom of *Ireland*, ſince the ſaid Ceſſation, ſhall be null and void.

Whilſt the ſaid Commiſſioners with theſe Propoſitions were on their Journey, Sir *Peter Killigrew*, whom the Two Houſes had ſent to his Majeſty with a Letter, deſiring that he would give Order to the Marqueſs of *Ormond* to ſurrender up *Dublin*, and all other Gariſons in *Ireland*, to the uſe of the Parliament, returned with his Majeſty's Anſwer as followeth.

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HIS Majeſty having conſidered the Letter of the 6*th* Inſtant, ſent to him from the Lords and Commons in Parliament aſſembled, thinks fit to return this Anſwer, That as none can be more deeply affected than his Majeſty with the paſt and preſent Calamities of his Kingdom of *Ireland*, nor is ſo nearly concerned in the Preſervation of his Majeſty's Proteſtant Subjects there; ſo he will be moſt ready to apply all future Remedies for their Deliverance: And as to the particulars of delivering forthwith of the City and Caſtle of *Dublin*, the Town of *Drogheda*, and all other Gariſons in that Kingdom which are held by his Majeſty's Authority, into the hands of ſuch as the Parliament ſhall appoint; his Majeſty being moſt willing that all thoſe places may be ſo diſpoſed, as they may be beſt ſecured from the Rebels, and ſerve moſt for the Safety of his good Subjects, doth again earneſtly preſs, the Propoſitions ſo long expected, for the Peace of That and his other Kingdoms, may be haſtned to him, expecting that they will contain the readieſt means, not only of preſerving thoſe places which are already in his power, but likewiſe of

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of reducing the reſt of that Kingdom poſſeſſed by the Rebels, to his Obedience: And as his Majeſty knows not a more ſpeedy and effectual way for attaining thoſe *Ends*, by removing all differences betwixt his Majeſty and the Two Houſes of Parliament; ſo nothing will be more eaſily endeavoured by his Majeſty, than that a ſolid and laſting Peace be forthwith eſtabliſhed.

Newcaſtle, the 11*th* of *July*, 1646.

July 17. Monſieur *Beleiure*, Ambaſſador Extraordinary from the Crown of *France*, being lately arrived, had this day Audience in both Houſes, being received in great State: The Subſtance of what he delivered, was, 'That he had in Com-'mand from the Queen Regent and the King of *France*, to interpoſe and en-'deavour a good Reconciliation and Compoſure of the Differences between 'his Majeſty of *Great Britain*, and the Parliament of *England*; but underſtand-'ing in what forwardneſs they were, and that Propoſitions were already diſ-'patch'd to his Majeſty, he had no more to do at preſent with the Parlia-'ment, but to take his Leave of them, and to deſire their Paſs to go unto 'the King, and to the States of *Scotland*.

Which Buſineſs being taken into Conſideration by the Houſe of Commons, *July* 22. a Letter was agreed upon in Anſwer to the ſaid Ambaſſador, to this effect: 'That they took in very good part, and received with all Thankful-'neſs, the good Affections and Intentions of the *French* Crown to theſe King-'doms, and his willingneſs to ſee theſe Troubles over; for ending whereof, 'they have done their utmoſt, and ſhall ſtill continue ſo to do: But they 'could not agree, That any Foreign State interpoſe in the preſent remaining 'Differences; nor that his Majeſty of *France* in particular, by his preſent Ex-'traordinary Ambaſſador, ſhould ſo do. But for the Paſs deſired, they did 'agree to it, That the ſaid Ambaſſador paſs freely without any Interruption or 'Diſturbance, and be uſed with all Reſpect and Civility, according to his 'Quality.

Whereunto the Lords concurred, and the Paſs was ſigned by the Speakers of both Houſes: And underſtanding that the ſaid Ambaſſador had taken his Journey from *London* the Night before, towards the King, without the Anſwer or Paſs from the Houſes, the ſame was ſent Poſt after him, by Sir *Peter Killigrew*.

July 28. His Highneſs the Duke of *York* came to *London* from *Oxford*, being met by the Earl of *Northumberland*, and ſome other Lords, and divers Gentlemen, who conducted him to St. *James*'s, where the Earl of *Northumberland* diſcharged all his *Oxford* Retinue and Servants that came along with him, and appointed others to attend him.

The Lady *Dalkeith* carries the Princeſs *Henrietta* into *France*.

The ſame day the Two Houſes had notice, That the Young Princeſs *Henrietta*, who was taken at the Surrender of *Exeter*, was privately convey'd away on the *Friday* before, by the Counteſs of *Dalkeith*, from *Oatlandt*, divers of the Gentlewomen that attended her, being left behind, and not knowing of her Removal (ſo diſcreetly it was manag'd) till they received the following Letter without date from the ſaid Counteſs, who retreated with her *Fair Charge* into *France* to the Queen.

The Lady *Dalkeith*'s Letter to the Women who attended on the Princeſs *Henrietta*.

Gentlewomen,

YOU are witneſs with what patience I have expected the pleaſure of the Parliament; I have found it impoſſible to obtain any Juſtice to her Highneſs, or Favour to my ſelf or any of you; I was no longer able to keep her, which was the Cauſe I have been forced to take this upon me: Be pleaſed to repair to his Majeſty all of you, or as many of you as think fit; I then am ſure you will enjoy the Bleſſing of ſerving her Highneſs, which believe me is heartily wiſh'd by me. It will be a great mark of your Faithfulneſs and Kindneſs to your Miſtreſs, to conceal her being gone, as long as you can; and it will make your paſt Service now conſider'd, and that to come more acceptable. And truſt me, your divulging of it will be of no Advantage to you. Thus you may do it; ſeeming to expect her the day following after the Receit of this Letter; and then cauſe to deliver this other to Mr. *Marſhall*, after you have read it, and tell him, which is Truth, That I have removed her Highneſs to a better Air, whither you may, if you will, follow her. All

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her Wearing Cloaths, Woollen or Linnen, you may diſtribute amongſt you: The little Plate ſhe hath, Mrs *Caſe* will have a care of: Her other things are to be continued with Mr. *Marſhall*. I am ſo confident you will behave your ſelves kindly and faithfully to your Miſtreſs, that you may yet more oblige me to be what you ſhall always find me; which is to you all,

For her Highneſs the Princeſs Henrietta *her Gentlewomen.*

A very hearty kind Friend,
A. Dalkeith.

22 *Caroli.*

The Commiſſioners from the Parliament with the Propoſitions, arrived at *Newcaſtle* on *Thurſday, July* 23. and had notice that Night, That it was his Majeſty's pleaſure they ſhould attend him the next day in the Afternoon. Accordingly, about Two of the Clock, they, and the Earls of *Argyle* and *Lowden*, as Commiſſioners for *Scotland*, went in their Coaches to the Court: The King came forth into a large Chamber, which was made uſe of for the Chamber of Preſence, and there ſtood at the end of a Table until the Commiſſioners came, and each of them kiſs'd his Majeſty's Hand, as likewiſe did Mr. *Marſhall* the Miniſter: Then the King will'd them to follow him into another Room; where the Earl of *Pembroke* acquainted his Majeſty, That they had brought Propoſitions from the Parliament, and were humbly to deſire his Anſwer; and ſo deſired Mr. *Goodwin* to read the Propoſitions: But firſt the King demanded if they had any Power to Treat? To which they anſwering, *No*; his Majeſty replied, *Then, ſaving the Honour of the Buſineſs, an honeſt Trumpeter might have done as much.* Then Mr. *Goodwin* read the Propoſitions; to which his Majeſty hearkned attentively, and when he had done, ſaid, *Gentlemen, I hope you do not expect a very ſpeedy Anſwer, becauſe the buſineſs is of high Concernment:* The Earl of *Pembroke* anſwered, That *they were limited not to ſtay above Ten Days after their coming to that Town, and muſt then return:* His Majeſty replied, That *he would diſpatch them in convenient time*; and ſo for the preſent diſmiſs'd them. On the *Sunday* following, Mr. *Marſhal* preached in the Forenoon before his Majeſty, taking for his Text that of *Iſaiah* 32. 17. *And the work of Righteouſneſs ſhall be Peace, and the effect of Righteouſneſs, quietneſs and aſſurance for ever.*

The Commiſſioners ſeveral times attended his Majeſty during their ſtay there, and preſſed him to agree to the Propoſitions: And amongſt the reſt, the Lord *Lowden*, Chancellor of *Scotland*, made this following Speech.

The Commiſſioners of Parliament arrive at *Newcaſtle* with the Propoſitions.

YOur Majeſty was pleaſed on *Monday* laſt to call the Lords of your Council of *Scotland*, and Committee, to acquaint them with the Propoſitions, and told them before you would deliver your Anſwer, you would make the ſame known to them: The time aſſigned to the Commiſſioners ſtay is ſo ſhort, and the Conſequence of your Majeſty's Anſwer of ſo great Importance, either for the Preſervation or Ruin of your Crown and Kingdoms, as we could not be anſwerable to God, nor to that Truſt repoſed in us, unleſs we repreſent to your Majeſty how neceſſary it is that your Majeſty aſſent to the Propoſitions, as the Condition of Affairs now ſtand in ſo great extremity; and that the danger and loſs of your Refuſal will be remedileſs, and bring on a ſudden Ruin and Deſtruction.

The Lord Chancellor of *Scotland* his Speech to the King in *Newcaſtle, July* 1646.

I ſhall begin firſt with the laſt, which is the Danger, and ſhall next ſpeak a word of the Remedy.

The Differences betwixt your Majeſty and your *Parliament* (which no man knoweth better than your Majeſty's ſelf) are grown to ſuch a height, that after many bloody Battels, the *Parliament* having your Majeſty, all the Forts, Gariſons, and Strong-holds in their hands, having your Majeſty's Revenue, Exciſe, Aſſeſments, Sequeſtrations, and the Authority to raiſe all the Men and Money in the Kingdom; and having, after many Victories and great Succeſſes, a ſtrong Army on Foot, are now in ſuch a poſture for Strength and Power, they are in a capacity to do what they will both in Church and State. And ſome are ſo afraid, and others ſo unwilling to ſubmit themſelves to your Majeſty's Government, that they deſire not you, nor any of your Race, longer to reign over them: But the People are ſo wearied of the War, and great burthens they do groan under, are ſo loth to have Monarchical Government deſtroyed, that they dare not attempt to caſt it totally off, till once they

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ſend Propoſitions of Peace to your Majeſty, leſt the People (without whoſe concurrence they are not able to carry on their deſign) ſhould fall from them: But after ſo great War and Trouble, that they may have a perfect Security from Oppoſition and Arbitrary Power, they have reſolved upon the Propoſitions which are tendred to your Majeſty, as that without which the Kingdom and your People cannot be in Safety, and that there cannot be a firm Peace upon any other Terms.

Your Majeſty's Friends in the Houſes, and the Commiſſioners from *Scotland*, (after much wreſtling) did conſent to the ſending of thoſe Propoſitions, or to be rated the Hinderers of Peace, or otherwiſe to ſend no Propoſitions at all.

And now Sir, if your Majeſty (as God forbid) ſhall refuſe to aſſent to the Propoſitions, you will loſe all your Friends in the Houſes, loſe the City, and all the Country; and all *England* will join againſt you as one man: They will proceſs and depoſe you, and ſet up another Government; they will charge us to deliver your Majeſty to them, and to render their Gariſons, and remove our Armies out of *England*; and upon your Majeſty's Refuſal of the Propoſitions, both Kingdoms will be conſtrained for their mutual Safety, to agree and ſettle Religion and Peace without you; which (to our unſpeakable grief) will ruin your Majeſty and your Poſterity, if your Majeſty refuſe our faithful Advice (who deſire nothing on earth more than the preſervation of your Majeſty's Royal Throne.) And if your Majeſty loſe *England* by your Wilfulneſs, you will not be permitted to come and reign in *Scotland*.

Sir, we have laid our hands upon our hearts; we have asked Counſel and Direction from God, and have had our moſt ſerious thoughts upon the Remedy, but can find no other to ſave your Crown and Kingdoms, than your Majeſty's aſſenting to the Propoſitions, and dares not ſay but they are higher in ſome things, (if it were in our Power and Option to remedy) than we approved of: But when we ſee no other means for curing the diſtempers of the Kingdoms, and cloſing the Breach between your Majeſty and your *Parliament*, our moſt humble and ſafe Advice is, your Majeſty will be graciouſly pleaſed to aſſent to them, as the only way to eſtabliſh your Throne; becauſe your Majeſty ſhall be thereby received again in your *Parliament*, with the Applauſe and Acclamations of your People; by your Royal Preſence all Friends will be ſtrengthned, and all Enemies (who fear nothing ſo much as the granting the Propoſitions) will be weakned; your Majeſty will have a fit Opportunity hereafter to offer ſuch Propoſitions as you and your *Parliament* in Wiſdom ſhall think fit for your Crown and Kingdom; the Armies will be disbanded, and your People finding the ſweet Fruit of a peaceable Government, you will gain their Hearts and Affections, and that will be your Majeſty's Strength and Glory, and will recover all that you have loſt in this Time of Tempeſt and of Trouble.

And if it pleaſe God to incline your Royal Heart to this Advice of your humble and faithful Servants, who next to the Honour and Service of God, eſteem nothing more precious than the Safety of your Perſon and Crown, our Actions ſhall make it appear, That we eſteem no hazard too great for your Majeſty's Safety; and that we are willing to ſacrifice our Lives and Fortunes for eſtabliſhing your Throne and juſt Right.

But his Majeſty did not think this Importunity ſufficient to prevail upon his Conſent; and return'd his Royal Anſwer touching the ſaid Propoſitions, in a Paper delivered to the ſaid Commiſſioners, *Auguſt* the 1*ſt*, in theſe words:

His Majeſty's Anſwer to the Propoſitions, *Aug.* 1. 1646.

Charles Rex;

THE Propoſitions tender'd to his Majeſty by the Commiſſioners from the Lords and Commons aſſembled in the Parliament of *England* at *Weſtminſter*, and the Commiſſioners of the Parliament of *Scotland*, (to which the Houſes of Parliament have taken twice ſo many Months for deliberation, as they have aſſigned Days for his Majeſty's Anſwer) do import ſo great Alterations in Government both in the Church and Kingdom, as it is very difficult to return a particular and poſitive Anſwer, before a full debate, wherein theſe Propoſitions, and the neceſſary Explanation, true Senſe and Reaſons thereof,

thereof, be rightly weighed and underſtood; and that his Majeſty upon a full view of the whole Propoſitions, may know what is beſt, as well as what is taken away and changed. In all which he finds (upon diſcourſe with the ſaid Commiſſioners) that they are ſo bound up from any capacity either to give Reaſons for the Demands they bring, or to give ear to ſuch Deſires as his Majeſty is to propound, as it is impoſſible for him to give ſuch a preſent Judgment of, and Anſwer to theſe Propoſitions, whereby he can anſwer to God that a ſafe and well-grounded Peace will enſue (which is evident to all the World can never be, unleſs the juſt Power of the Crown, as well as the Freedom and Propriety of the Subject, with the juſt Liberty and Privileges of the Parliament, be likewiſe ſetled:) To which end his Majeſty deſires and propoſeth to come to *London*, or any of his Houſes thereabouts, upon the Publick Faith and Security of the Two Houſes of Parliament, and the *Scotch* Commiſſioners, That he ſhall be there with Freedom, Honour, and Safety; where by his Perſonal Preſence he may not only raiſe a mutual Confidence betwixt him and his People, but alſo have theſe Doubts cleared, and theſe Difficulties explained unto him, which he now conceives to be deſtructive to his juſt Regal Power, if he ſhall give a full Conſent to theſe Propoſitions, as they now ſtand. 22 *Caroli.*

As likewiſe, that he may make known to them ſuch his reaſonable Demands, as he is moſt aſſured will be very much conducible to that Peace which all good men deſire and pray for, by the ſetling of Religion, the juſt Priviledges of Parliament, with the Freedom and Propriety of the Subject: And his Majeſty aſſures them, That as he can never condeſcend unto what is abſolutely deſtructive to that juſt Power which by the Laws of God and the Land he is born unto; ſo he will chearfully grant and give his Aſſent unto all ſuch Bills, at the deſire of his Two Houſes, or reaſonable demands for *Scotland*, which ſhall be really for the Good and Peace of his People, not having regard to his own particular (much leſs of any body's elſe) in reſpect of the Happineſs of theſe Kingdoms. Wherefore his Majeſty conjures them as Chriſtians, as Subjects, and as Men who deſire to leave a good Name behind them, that they will ſo receive and make uſe of this Anſwer, that all Iſſues of Blood may be ſtopped, and theſe unhappy Diſtractions peaceably ſetled.

Newcaſtle, Aug. 1. 1646.

To the Speaker of the Houſe of Peers pro Tempore, *to be communicated.*

POSTSCRIPT.

Upon Aſſurance of a happy Agreement, his Majeſty will immediately ſend for the Prince his Son, abſolutely expecting his perfect Obedience to return into this Kingdom.

The Commiſſioners come back to *London.*

With this Anſwer, the Commiſſioners having taken leave of his Majeſty, on *Sunday*, *Aug.* 2. began their Journey for *London*, and came thither on *Monday*, *Aug.* 10. and on the 12*th* reported their Proceedings, and his Majeſty's Anſwer to the Houſe of Commons, and had the Thanks of that Houſe.

Of the Papers that paſſed between his Majeſty and *Henderſon.*

About this time Mr. *Henderſon*, a *Scotch* Miniſter, came to *Newcaſtle*, and much importun'd his Majeſty to paſs the Propoſitions: But his Majeſty affirming that he could not in Conſcience conſent to ſeveral things therein, eſpecially to the Change of Church-Government from the Ancient Order of *Epiſcopacy*, ſeveral Papers paſs'd between his Majeſty and the ſaid *Henderſon*; which ſhew his Majeſty's great Abilities in thoſe Controverſies, being at a time when he could not have the Aſſiſtance of any of his Chaplains. Which Papers being extant in his Majeſty's Works, we thereunto refer the Reader. The ſaid Mr. *Henderſon* returning from *Newcaſtle* to *Edinburgh*, was there taken ſick, and died about the End of *Auguſt*, much lamented by thoſe of his Party; being indeed a Perſon of great Learning and Abilities, and more Moderation than many of them.

Henderſon dies *Aug.* 1646.

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CHAP. XI.

Tranſactions with the Scots, *touching the Removal of their Forces out of* England, *and the Diſpoſal of his Majeſty's Perſon, and other intervening Occurrences, to the bringing of his Majeſty to* Holmby-*Houſe.*

THE Commiſſioners for the Kingdom of *Scotland* preſented this day the following Paper to the Houſe of Peers:

Aug. 12. The *Scots* Paper to the Parliament touching the Return of their Army, *&c.*

THE ſame Principles of Brotherly Affection which did induce both Kingdoms to a Conjunction of their Councils and Forces in this Cauſe, move us at this time to apply our ſelves to the moſt real and effectual ways, which tend to a ſpeedy Concluſion and amicable Parting, and to the prevention of Miſunderſtandings between the Kingdoms in any of theſe things, which peradventure our common Enemies look upon with much joy, as occaſions of Differences. For this end we have not taken notice of the many baſe Calumnies and execrable Aſperſions caſt upon the Kingdom of *Scotland* in printed Pamphlets, and otherwiſe; expecting from the Juſtice and Wiſdom of the Honourable Houſes, that they will of themſelves take ſuch courſe for the vindication of our Nation and Army, as the Eſtates of *Scotland* have ſhewed themſelves ready to do for them in the like caſe.

Upon the Invitation of both Houſes, the Kingdom of *Scotland* did chearfully undertake, and hath faithfully managed their Aſſiſtance to this Kingdom, in purſuance of the Ends expreſs'd in the Covenant: And the Forces of the common Enemy being (by the bleſſing of God upon the joint Endeavours of both Kingdoms) now broken and ſubdued; a foundation being alſo laid, and ſome good progreſs made in the Reformation of Religion, which we truſt the Honourable Houſes will, according to the Covenant, ſincerely, really, and conſtantly proſecute till it be perfected: That we may manifeſt to the Conſciences of our Brethren, and to all the World, how far it is, and ever was, from the thoughts and intentions of the Kingdom of *Scotland*, to make uſe of their Army in this Kingdom to any other Ends beſides theſe expreſs'd in the Covenant; and how much they deſire the preſerving and perpetuating of Peace and Amity between the Kingdoms, and the eaſing of the Burdens and Preſſures of this Nation; we do in their Name declare, that they are willing forthwith to ſurrender the Gariſons poſſeſſed by them in this Kingdom (which they did keep for no other End but the Safety and Security of their Forces) and without delay to recall their Army; reaſonable Satisfaction being given for their Pains, Hazards, Charges, and Sufferings; whereof a competent Proportion to be preſently paid to the Army before their diſbanding, and Security to be given for the Remainder, at ſuch times hereafter as ſhall be mutually agreed on.

If any Forces ſhall be kept on foot in either Kingdom, we deſire that they be put under the Command of ſuch perſons as are known to be zealous for Reformation and Uniformity in Religion, and moſt tender of the Peace of the Kingdoms, and againſt whom neither of the Kingdoms may have any juſt grounds of Jealouſy. And whereas the Kingdom of *Scotland* hath been invaded, and is ſtill infeſted by Forces from *Ireland*, it is expected that the Honourable Houſes, according to the large Treaty, will give ſuch Aſſiſtance and Supply to the Kingdom of *Scotland*, as may ſpeedily reduce thoſe Rebels to obedience. And to the end there may in all things be a good underſtanding between the Kingdoms, we further propoſe, That whereas Propoſitions for a ſafe and well-grounded Peace have been lately ſent to the King in the Name of both Kingdoms, and for obtaining his Majeſty's Conſent thereunto the utmoſt Endeavours of the Kingdom of *Scotland* have not been wanting, as may appear by the many Addreſſes, Petitions, and Solicitations to that end, from the Army, the Lords of his Majeſty's Privy-Council, the Committees of Eſtates,

and

and the General Assembly of the Church; the Success whereof hath not answered our Wishes and Hopes, his Majesty (to our unspeakable grief) not having yet agreed to the Propositions: We desire that the Honourable Houses may be pleased to take such course, as by the joint Advice of both Kingdoms, engaged in the same Cause, labouring under the same Dangers, and aiming at the same Ends, we may consult and resolve what is next to be done, for the Peace and Safety of these Kingdoms, both in relation to his Majesty, and each Kingdom to the other; being confident that the result of our joint Consultations will be such as shall provide for the present and future Security of the Kingdoms, and strengthen their Union between themselves. 22 *Caroli.*

By Command of the Commissioners for the Parliament of Scotland.
John Cheisley.

The Lords returned the *Scots* Commissioners Thanks, and the next day communicated the said Paper to the Commons at a Conference; and the day following, the House of Commons taking the same into Consideration, ordered, That the Sum of a Hundred thousand Pounds should be provided for the Advance of the *Scots* Army into *Scotland*; and voted, That the House did very well and thankfully approve of their good Affections and Zeal to this Kingdom, and their Offer to deliver up our Garisons, and depart the Kingdom: As also that their Arrears should be Audited, and in convenient time paid, according to the large Treaty; and ordered a Committee to acquaint the *Scotch* Commissioners with these Votes.

The *Scots* Commissioners in a Letter to the House of Commons, delivered in an Account of the Arrears of their Army: The Substance of which, together with the Estimate of the House of Commons of Moneys paid unto them, the Exceptions of the *Scots* to that Estimate, the Parliament's Exceptions to their Account, and the *Scots* Reply for Satisfaction, take as follows. *Aug.* 18.

The *Scots* do demand about Two Millions from the 18*th* of *January*, 164$\frac{4}{5}$. to the 18*th* of *September*, 1646. having brought into this Kingdom 1800 Foot, 2000 Horse, and 1000 Dragoons: And acknowledge to have received near 700[illegible] in Moneys, Provisions, Assessments, Quarters, and otherwise. The *Scots* Account.

The Parliament made an Estimate of 1400000 *l.* paid unto them: The Particulars whereof, with the Exceptions of the *Scots* thereunto, do here follow in order.

1. Paid by the Committee of *Goldsmiths-Hall* to the *Scots* Army from *October* the 6*th* 1643. to the 1*st* of *November* 1645. the Sum of ——— } 220629 *l.*

To this the *Scots* Reply,

That in this Account are comprized several Provisions sent unto them, which were never delivered; some part taken by the Enemy at Sea; some part spoiled and made useless; besides, no Freight or Damage in Carriage is to be paid the Soldier.

2. Money and Lead delivered by the Committee of both Kingdoms at the Siege of *York*, amounting to ——— } 9000 *l.*

Scots.] This is granted.

3. Levied upon the County of *York*, for the use of the *Scots*, during the Siege of that City, and in the space of Four Months, after the Rate of 20000 *l. per* Month, the Sum of ——— } 88000 *l.*

Scots] Deny that they ever received near that Sum; it being evident by daily Experience, that Money so collected, doth never answer the Proportion of the Assessments.

4. Paid more to the *Scots*, as in the Parliament's Estimate is expressed, ——— } 10000 *l.*

Scots.] This by a Mistake is twice charged; it being a part of the same Money formerly reckon'd as received from the Committee of *Goldsmiths-Hall.*

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5. Moneys raiſed out of Coals in one year to the value of 53000 *l.* And afterwards out of Coals 50000 *l.* And paid by the Exciſe 16385 *l.* 12 *s.* 4 *d.* in all amounting to } 119385 *l.* 12 *s.* 4 *d.*

Scots.] Theſe Moneys amounting to near 120000 *l.* did in truth ariſe only to 80000 *l.* becauſe the Coals in the 1*ſt* year did ariſe to 10 *s. per* Chaldron, at which Rate they are ſtill Eſtimated to the *Scots*, when the years following they had but 5 *s. per* Chaldron. So that here is to be a Deduction of near 40000 *l.*

6. For Moneys, Cloaths, Arms, and Proviſion, during the Siege of *Newark*, ——— } 99054 *l.* 12 *s.* 11 *d.*

Scots.] With the Moneys here mentioned, they diſcharged their Quarters, therefore not to be charged in this Account; by which there will be deducted 50000 *l.*

7. Paid to them by the Lord-Mayor of *York*, ——— 1700 *l.*

Scots.] This is acknowledged.

8. For Compoſitions with Delinquents ſince they entred the Town of *Newcaſtle*, and planted there their Gariſon ——— } 20000 *l.*

Scots.] There was no Compoſition taken, but only what the Officers received to ſave the Houſes of the Inhabitants from Plunder; which cannot be accounted as part of the Pay of the Army, ſince the Town was taken by Storm.

9. For Free Quarter and Billet taken by them, from *Jan.* 18. 1643. to *Sept.* 18. 1646. at the Rate of Half-Pay; and then in caſe they were and continued the Number agreed (beſides the 4 Months before charged with the Sum of 88000 *l.*) the Sum of— } 432000 *l.*

Scots.] The Total Sum for 28 Months, will not amount to more than 432000 *l.* Beſides, it is to be conſidered, that only the half of the *Soldiers* Pay is to be allowed for Quarters, and but a *Third* part of the *Officers*, which makes a great Deduction. Moreover it is known, that the firſt 7 or 8 Months after the Entry of the *Scotiſh* Army into this Kingdom, they received very little Proviſion, the Country being in the Enemies Power, ſo that half of their Proviſion did come Monthly from *Scotland*, notwithſtanding the Pr[illegible]n received from *London*.

10. For ſeveral great Sums aſſeſſed and levied upon perſons for the 25*th* Part, and Townſhips in this Kingdom ——— } 403000 *l.*

Scots.] Theſe Aſſeſments were only made in the Winter-time, and then the Quarters were deducted out of them, and but a ſmall proportion will be found above the Quarters and Billetings of the Army: So that this and the precedent Article cannot conſiſt together.

11. For ſeveral great proportions of Arms, Ammunition, and Proviſions of War, ——— } 40000 *l.*

So that the whole received by our Brethren the *Scots* for this Expedition, doth amount unto } 1462768 *l.* 5 *s.* 3 *d.*

Scots.] Arms and Ammunition are not to be allowed as part of the Army's Pay: The Kingdom of *England* by the Fourth Article of the Treaty is obliged to repay the Kingdom of *Scotland* the Train of Artillery, and other Neceſſaries ready to march, which is all they are to find. Again, it is impoſſible that the Arms and Ammunition delivered ſhould come near that Sum.

So that theſe Exceptions being conſidered, the *Scots* have only as yet received the Sum of ——— } 700000 *l.*

12. The Honourable Houſe of Commons hath not added what hath been taken from the People of *England* in Merchandize, Houſhold-ſtuff, Horſes, Sheep, and other Cattel and Goods, which will exceed any Two of the former Sums.

Scots.] For Plunder, it is moſt certain that many of the *Engliſh* pretending themſelves to be *Scots*, have been active in plundering in the Country; greater Care hath been taken for ſuppreſſing Diſorders in the *Scots* Army in *England*, than hath been in the Army in *Scotland*: Some have been put to Death for pilfering to the value but of Two Shillings. More-

22 *Caroli.*

Moreover, as the Houſe of Commons charged the aforementioned Receits, ſo likewiſe they took Exceptions to ſeveral great Sums of Money in the *Scots* Account, amounting to the Sum of —— 667415 *l.* 6 *s.* 8 *d.*

Which they conceive ought not to be demanded of the Kingdom of *England*, for theſe Reaſons:

1. For the Sum of 87415 *l.* 6 *s.* 8. laid out for the Train of Artillery, the Houſe of Commons do conceive it is to be done at the ſame Rate as if it had been raiſed for the uſe of the Kingdom of *Scotland*.

2. For the Sum of 30000 *l.* and 330000 *l.* it is provided by the Fifth Article in the Treaty, That if the *Scots* have juſt Cauſe to demand further Satisfaction from the Parliament of *England*, that then they have Satisfaction from them, when this Demand appeareth juſt.

3. For the Sums of 40000 *l.* and 120000 *l.* for the Lord *Calendar*'s Army, altho they were invited by the Parliament, yet no Eſtabliſhment was ſetled; and moreover it is urged, that their Number did not increaſe the Army of General *Leven* above the Number of 21000 Men effective.

4. The 60000 *l.* for Intereſt is excepted againſt by the Parliament, becauſe the Moneys from them, with Free Quarter and Billet, and other Moneys from time to time, ſupplied their Pay in ſeaſon, according to the Treaty.

To theſe Particulars the *Scots* anſwered;

1. That the Charges of the levying and bringing together the Forces, with the Train of Artillery, was at the ſame Rate as if the Kingdom of *Scotland* had raiſed the Army for their own Affairs. The Charges were delivered to the *Engliſh* Commiſſioners, who did acquaint the Houſe of Commons with it. It cannot be expected that the Kingdom of *Scotland* ſhould entertain an Army for *England* at lower Rates than if it had been raiſed for their own Affairs: Moreover, it being in the Winter-Seaſon when the Army was levied, it was the more chargeable, ſo that every Soldier had over and above the Publick Allowance 10 *s.* a Man, which is not at all charged in the Account.

2. The Kingdom of *Scotland* did accept of 30000 *l.* to be paid by the Month, and would demand no more for the preſent, in regard of the great Burthens of the Kingdom of *England*; and ſuperſeded the reſt till the Peace of the Two Kingdoms was ſetled: It being provided by a general Clauſe in the Fifth Article in the Treaty, *That the Kingdom of* England *ſhall make due Recompence to the Kingdom of* Scotland, *by way of Brotherly Aſſiſtance for what they ſhall have juſt Cauſe to demand.* And the Juſtice of their Demand will appear very reaſonable, when compared to the meaneſt Rates of any Army in *England*, or the *Scots* Army in *Ireland*; according to which the Committee of both Houſes did offer to pay this Army, in their Paper delivered to the Convention of the States of *Scotland*, *Aug.* 19. *Anno* 1643.

3. The Earl of *Calendar*'s Army was invited into this Kingdom by both Houſes, who therefore cannot in Juſtice refuſe to pay them. And whereas it is alledged that the Number of the Earl of *Calendar*'s Army did not increaſe the Earl of *Leven*'s above the Number of 21000 Men; it was often deſired that a Muſter of them might have been taken by the Honourable Houſes, when both Armies were in *England*; which not being done, they cannot but admit the Muſters taken by ſuch as are intruſted by the Kingdom of *Scotland* for that purpoſe, and that in the ſtricteſt way there uſed. Beſides, the Forces of the Earl of *Calendar* were not called in as Recruits, but as a diſtinct Army, compoſed of their own Regiments, as a General and other Officers, with a Train of Artillery, to block up *Newcaſtle*, whilſt the Army commanded by the Earl of *Leven* was lying before *York*.

4. The Money paid by the Parliament, and the Free Quarters taken by the *Scots*, being reckoned, the Committee reſiding with them are able to make it appear that a greater Sum is due for Intereſt, than hath been demanded.

Scots willing to accept a Sum in Groſs.

However, the *Scots* offered, That they would be content to accept of a Sum in Groſs for a full Diſcharge of their Arrears; whereupon the Houſe of Commons ordered a Committee to Treat with the *Scots* Commiſſioners, to know what Sum they demand in Groſs, and how much thereof they deſire upon their Advance, and when the other, and at what time of Payment.

Which

An. 1646.

Scots demand 500000 *l.*

Which Committee the next day reported to the House, That the *Scots* Commissioners desired 500000 *l.* whereof 300000 *l.* to be paid upon the Advance of their Army, and the other 200000 *l.* at the end of Twelve Months: But in respect of the present Necessity of this Kingdom, they would be content with the least proportion that might supply the Necessities, and give Satisfaction to their Army; and therefore would accept of 200000 *l.* at their Advance out of the Kingdom, and the other 300000 *l.* at the end of Twelve Months as aforesaid.

Aug. 21. Commons vote 200000*l.* for the *Scots*.

The Commons took into Consideration these Demands of the *Scots*; and after a hot and tedious Debate (which lasted almost the whole day) they pass'd a Vote, That the Sum of 200000 *l.* should be advanc'd for the *Scots* Army, according to the desire of the *Scots* Commissioners; *viz.* 100000 *l.* to be paid at the Advance of the *Scotish* Forces out of this Kingdom; and the other 100000 *l.* to be paid by 50000 *l.* at a time; *viz.* 50000 *l.* within Three Months after Payment of the first 100000 *l.* and the other 50000 *l.* to be paid at Nine Months after the second Payment. And for more certainty, the House declared and ordered, That the first 100000 *l.* should be paid by the 18*th* of *September* next. And that for the remaining 300000 *l.* demanded, the *Scots* shall have the Publick Faith of this Kingdom for the Payment thereof, deducting out of the same the Accounts of the Country for their Free Quarter; and that the Commissioners of *Scotland* should be desired to appoint the Place for Payment of the first 10000 *l.*

Then the House took into Consideration how and by what means these Great Sums should be raised; and referred it to the Committee of *Goldsmiths-Hall* to Treat with the several Companies of the City of *London*, and others, for the present Advance of 100000 *l.* and to propound Securities for Repayment.

Aug. 27.

Upon further Debate touching Satisfaction for the *Scots*, after much time spent therein by the House of Commons, the Question was put for 200000 *l.* more than what was formerly ordered them; but the same being carried in the Negative, the Question was then put for 100000 *l.* more, and agreed unto; and the *Scots* Commissioners ordered to be made acquainted therewith.

But the said Commissioners on the 1*st* of *September* presenting to the House a Paper, earnestly pressing that 400000 *l.* might be allowed them in Gross; whereof 200000 *l.* to be paid them in *Newcastle* before their Retreat into their own Kingdom, and the other 200000 *l.* more at convenient times: The House spent much time in Debate thereof; and at last concluded to allow them the said Sum of 400000 *l.* in Gross; and therefore voted that the Sum of 100000 *l.* besides the 300000 *l.* formerly voted, shall be advanced for the *Scotish* Army: But for the time of Payment, adhered to their former Votes; *viz.* That the first 100000 *l.* should be paid before the *Scots* going; another 100000 *l.* at Two Payments, Three Months, and Nine Months after; then 100000 *l.* at Nine Months more; and this last 100000 *l.* at Twelve Months after that.

The House of Commons vote that the *Scots* shall have 400000 *l.* *Sept.* 1.

Sept. 2.

The *Scots* Commissioners gave in a Paper of Reasons, why their Army could not advance into their own Kingdom, or leave their Quarters in *England*, without 200000 *l.* were presently paid them: And the House of Commons having debated the same, voted they should have so much at present, if it could be raised; and to that purpose ordered that a Common-Council should be called in *London* on *Monday* next; and a Committee was appointed to go thither then, and desire the Citizens to advance the said Sum; which was done accordingly, and the Excise, Delinquents Lands, and Bishops Lands, were proposed as Security for the Repayment of the said Money; for which end a Committee of the Common-Council was nominated to meet and treat with the said Committee of the House of Commons touching that matter: And on *Wednesday*, *Sept.* 9. the Common-Council delivered their Answer in writing in these words:

Answer of the Common-Council, touching raising 200000 *l.* for the *Scots*, *Sept.* 9.

THat they having received a Message from the Honourable House of Commons, concerning the speedy Advance of 200000 *l.* they humbly conceive the best way for the advancing thereof, will be, That such as have formerly contributed upon the Propositions for Horse, Moneys and Plate,

may

22 Caroli

may advance the like Sum upon this Propoſition, and be ſecured for both Sums with Intereſt at 8 *l. per Cent.* out of the Receits of the Grand Excile in courſe, and the Sale of Biſhops Lands: Which Expedient if the Honourable Houſe ſhall think fit to agree to, then they will uſe their Endeavours for the ſpeedy Advance of the ſaid 200000 *l.* Which the Houſe of Commons accepted, and returned the Common-Council Thanks.

About the beginning of this Month of *September*, Commiſſioners were ſent from the Eſtates of *Scotland* to the King at *Newcaſtle*, to perſuade his Majeſty to ſign the Propoſitions lately tender'd to him [*and herein before recited*] and take the Covenant; *viz.* Duke *Hamilton* (who having been releaſed of his Impriſonment in St. *Michael's-Mount* in *Cornwal*, upon the Parliament's taking of that Place, had repaired to the King at *Newcaſtle* in *July*, and ſeemed to be kindly received, (his Brother the Earl of *Lanerick* having lately been made Secretary of State for the Kingdom of *Scotland*) and from thence went to *Scotland*) the Earl of *Crawford*, the Earl of *Caſils*, the Lord *Lindſey*, the Lord *Balmerine*, Three Barons, and Three Burgeſſes: They preſſed the King with many Arguments, to which the King returned this Anſwer in writing under his own hand.

His Majeſty's Anſwer to the *Scots* Commiſſioners at *Newcaſtle*.

My Lords,

I Shall begin, by anſwering what you have now ſaid: For I aſſure you I had not thus long delay'd my Anſwer, but to weigh fully thoſe Reaſons and Arguments which you have laid before me, whereby to uſe the uttermoſt of my Endeavours to give you all poſſible Satisfaction; for you having told me nothing but what I have heard before, the Change of Anſwer could hardly be expected. And now I do earneſtly deſire you to conſider what it is that I deſire, which is, To be heard; which if a King ſhould refuſe to any of his Subjects, he would for that be thought a Tyrant. For this, if I had but ſlight Reaſons, it were the leſs to be regarded; but they are ſuch, upon which ſuch a Peace as we all deſire, doth depend: For albeit it is poſſible, that if I ſhould grant all you deſire, a Peace might be ſlubber'd up, yet it is impoſſible that it ſhould be durable, unleſs there be a right underſtanning betwixt Me and my People; which cannot be without granting what I deſire.

Yet I deſire to be rightly underſtood; for tho many like to *Æſop*'s Fable will call Ears Horns, yet let men ſay what they will, I am far from giving you a Negative, nay, I proteſt againſt it, my only deſire being to be heard; For I am confident that upon Debate I ſhall ſo ſatisfy them in ſome things, as likewiſe I believe they may ſatisfy me in many things, that we ſhall come to a moſt happy Agreement: This I believe is not much needful to ſatisfy your Judgments; for I am not ignorant how really your Commiſſioners at *London* have endeavoured a Satisfactory Anſwer to my Meſſage, as likewiſe what good Inſtructions have been ſent them out of *Scotland*; ſo that the Force of Power more than the Force of Reaſon, hath made you ſo inſtant with me as you have been; with which I am ſo far from finding fault, that what you have done, I take well, knowing that it proceeds out of the abundance of your Zeal to my Service: Therefore as you ſee I do not miſtake you, ſo I am careful not to be miſtaken by you; wherefore again I deſire you to take notice, that I do not give a Denial, my deſire being only to be heard; as likewiſe that you will take things as they are, ſince neither you nor I can have them as we would; wherefore let us make the beſt of every thing, and now as you have fully performed your Duty to me, ſo I cannot doubt but you will continue to preſs thoſe at *London* to hear Reaſon: And certainly you can expect little fair dealing from thoſe who ſhall reject ſo much Reaſon, and of that ſort, which you have, and I hope will offer them. Not to ſtay too long upon ſo unpleaſing a Subject, I aſſure you, that nothing but the Preſervation of That which is dearer to me than my Life, could have hinder'd me from giving you full Satisfaction: For upon my word, all the Dangers and Inconveniences which you have laid before me, do not ſo much trouble me, as that I ſhould not give full Satisfaction to the Deſires of my Native Country, eſpecially being ſo earneſtly preſs'd upon me: And yet here again I muſt tell you (for in this caſe Repetitions are not impertinent) that I do not give you a Denial, nay I proteſt againſt it; and remember, it is your King that deſires to be heard.

My

An. 1646.

Another Paper ſent by the King to the *Scots* Commiſſioners at *Newcaſtle.*

My Lords,

'TIS a very great Grief to me, that what I ſpoke to you yeſterday, and offer'd to you in writing, concerning Religion, hath given ſo little Satisfaction: Yet leſt the Reaſons I then told you, ſhould not be ſo fully underſtood, I think it neceſſary at this time to ſet them down to you in this Paper: I then told you, that whatſoever was my particular Opinion, I did no ways intend to perſuade you to do any thing againſt your Covenant; wherefore I deſire you to conſider, whether it be not a great ſtep to your Reformation (which I take to be the chief End of your Covenant) that Presbyterial Government be legally ſetled. It is true, that I deſire that my own Conſcience, and thoſe that are of the ſame Opinion with me, might be preſerved, which I confeſs doth not as yet totally take away Epiſcopal Government; but then conſider withal, that this will take away all the Superſtitious Sects and Hereſies of the Papiſts and Independents; to which you are no leſs obliged by your Covenant, than the taking away of Epiſcopacy: And this that I demand is moſt likely to be but Temporary; for if it be ſo clear as you believe, that Epiſcopacy is unlawful, I doubt not but God will ſo enlighten mine Eyes, that I ſhall ſoon perceive it; and then I promiſe you to concur with you fully in matters of Religion: But I am ſure you cannot imagine that there is any hope of converting or ſilencing the Independent Party, which undoubtedly will get a Toleration in Religion from the Parliament of *England*, unleſs you join with me, and in that way I have ſet down for the Re-eſtabliſhing my Crown, or at leaſt that you do not preſs me to do this (which is yet againſt my Conſcience) until I may do it without ſinning: Which as I am confident none of you will perſuade me to do, ſo I hope you have ſo much Charity, not to put things to ſuch a deſperate Iſſue, as to hazard the loſs of us all, becauſe for the preſent you cannot have full Satisfaction from me in point of Religion: Not conſidering, that beſides the reſt of the Miſchiefs which may happen, it will infallibly ſet up the innumerable Sects of the Independents; nothing being more againſt your Covenant, than permitting of thoſe Schiſms to increaſe. As for the Meſſage which I think fit at this time to ſend, I have choſen rather to mention the Point of Religion in a general than particular way, leſt (not knowing all theſe Reaſons which I have ſet down to you, which are moſt unfit for a Meſſage) it may give leſs Satisfaction than I deſire: Nevertheleſs I do conjure you, by that Love and Loyalty you have always profeſſed unto me, That you make uſe of what I offered yeſterday in writing, with theſe Reaſons which I have now ſet down to you, and thoſe further Hopes I have now given you, for the beſt advantages of my Service; with this particular Explanation, That whereas I mentioned that the Church-Government ſhould be left to my Conſcience, and thoſe of my Opinion, I ſhall be content to reſtrict it to ſome few Dioceſſes, as *Oxford*, *Wincheſter*, *Briſtol*, *Bath and Wells*, and *Exeter*; leaving all the reſt of *England* fully to the Presbyterian Government, with the ſtricteſt Clauſes you ſhall think upon, againſt Papiſts and Independents.

POSTSCRIPT.

I require you to give a particular and full Account hereof to the General Aſſembly in *Scotland*, ſhewing them that I ſhall punctually make good my laſt Letter to them, and that this is a very great ſtep to the Reformation deſired, not only by the preſent putting down all Sects and Independents, but likewiſe preſently eſtabliſhing Presbyterian Government; hoping that they, as Miniſters of God's Word, will not preſs upon me untimouſly the matter of Church-Government and Diſcipline, until I may have leiſure to be ſo perſuaded, that I may comply with what they deſire, without Breach of Conſcience, which I am confident they as Church-men cannot preſs me to do.

Some time after this, Duke *Hamilton* being gone back into *Scotland*, and having Intentions to go beyond Sea, his Majeſty wrote him the following Letter to diſſuade him: Which becauſe it alſo diſcovers ſomething of his Majeſty's Reſolutions in that Juncture, I ſhall here add the ſame.

Hamilton,

Hamilton,

22 *Caroli.*

The King's Letter to Duke *Hamilton, Sept.* 26.

I Have ſo much to write, and ſo little time for it, that this Letter will be ſuitable to the Times, without Method, or Reaſon, and yet you will find luſty Truths in it, which puts me again out of Faſhion, but the fitter for him to whom I write. Now to my buſineſs; but leſt I ſhould now forget it, I muſt firſt tell you, That thoſe at *London* think to get me into their hands, by telling our Countrymen, that they do not intend to make me a Priſoner: O no, by no means! but only to give me an Honourable Guard, forſooth, to attend me continually, for the Security of my Perſon: Wherefore I muſt tell you (and 'tis ſo far from a Secret, that I deſire every one ſhould know it, only for the way, I leave it to you to manage it for my beſt advantage) that I will not be left in *England* when this Army retires, and theſe Gariſons are render'd (without a viſible violent Force upon my Perſon) unleſs clearly, and according to the old way of underſtanding, I may remain a Freeman, and that no Attendant be forced upon me, upon any pretence whatſoever. So much for that.

A Diſcourſe yeſterninght with *Robert Murray*, was the Cauſe of this Letter, having no ſuch Intention before, becauſe I eſteemed you a man no more of this part of the World, believing your Reſoultions to be like the Laws of the *Medes* and *Perſians*. But however he ſhewed me ſuch Reaſons, that I found it fit to do what I am doing (for I confeſs one man's Error is no juſt Excuſe for another's Omiſſion) which is to ſtay your Foreign Journey by perſuaſion. As for the Arguments, I refer you to *Robin*; only I will undertake to tell you ſome poſitive Truths; the chief whereof is, That it is not fit for you to do; then, It is leſs ſhame to recant, than to perſiſt in an Error; my laſt is, By going, you take away from me the means of ſhewing my ſelf,

Your moſt Aſſured, Real, Faithful, Conſtant Friend,

Newcaſtle, Sept. 26. 1646. Charles R.

Sept. 14. The Earl of *Eſſex* departed this Life at *Eſſex*-Houſe in the *Strand*; of which the Two Houſes having notice the next day, they both adjourn'd immediately to the next day, and ordered that each Houſe ſhould accompany the Earl's Corps to the Grave, and aſſiſt at the Celebration of his Funeral Rites, towards which they order'd 5000 *l.* to be paid to his Executors for defraying the Charges thereof; which was celebrated with extraordinary State on the 22*d* of *October*. Mr. *Vines* preach'd the Funeral Sermon.

Sept. 18. The Houſe of Commons took into Conſideration how his Majeſty's Perſon ſhould be diſpoſed of; and Voted,

1. That whatſoever Conſultation and Debate the *Scots* Commiſſioners ſhould have concerning his Majeſty's Perſon, the ſame ſhould not any ways impede the March of the *Scots* Armies out of this Kingdom, nor violate or trench upon the Treaties between both Nations.

2. That his Majeſty ſhall be diſpoſed of as both Houſes of the Parliament of *England* ſhall think fit.

And afterwards ordered, That theſe Votes ſhould be communicated to the *Scots* Commiſſioners; who pretending to a Joint Right of diſpoſing of his Majeſty's Perſon, a Committee of both Houſes was appointed to Treat with them about it, who had ſundry Conferences thereupon: At which the Earl of *Lowden*, Chancellor of *Scotland*, made the following Speeches.

My Lords and Gentlemen,

The Lord Chancellor of *Scotland's* firſt Speech, at a Conference in the Painted Chamber with a Committee of both Houſes, *Octob.* 1. 1646.

THE end of this Conference is to adviſe what is fit to be done for the Peace and Security of the Kingdom, in relation to the King, and how to diſpoſe of his Majeſty's Perſon; which is a matter very tickliſh, and of moſt high concernment; and they who would build very high, muſt dig very low for a firm Foundation. And therefore I ſhall make bold to deſire, That whatever we reſolve upon concerning the King's Majeſty, it may be done by joint Advice and Conſent of both Kingdoms; and that the Unity between the Kingdoms may be inviolably preſerved, as that wherein (next to God's Protection) the chief Strength of both lies, which would be laid as a ground of our future debates. And becauſe the purpoſe we are to ſpeak of is very grave and ſerious, I ſhall ſpeak of it with that Sincerity, as I wiſh my words were written with the Beams of the Sun, and regiſtred to Poſterity,

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that all the World might ſee the Candor and Integrity of our Proceedings towards the King and our Brethren of *England*. And (as I had occaſion once to expreſs in this place) ſo do I now ſay, That no man hath Conſcience nor Honour, who will not remember our ſolemn League and Covenant, as the ſtrongeſt Bond under Heaven between God and Man, between Man and Man, and between Nation and Nation; in which our Unity is founded upon Verity, in a threefold relation, to God, to the King, and amongſt our ſelves. The firſt is the greateſt, and aſcends as high as Heaven; for *Religion*, which hath its Name *à Religando*, unites us to God himſelf; and ſo long as he is in league with us, we need not fear who be againſt us. Let us therefore hold faſt our Unity in Religion, and beware of Toleration of all Religion, which is the ready way to have none; for there is nothing more Divine in God than Unity, and nothing more Diabolical in the Devil than Diviſion; who therefore is known to the Vulgar by his Cloven Foot to be the Spirit of Diviſion.

The next ground and relation of our Unity, is with the King, to whom we are bound (in the ſtricteſt bonds of Loyal Subjection) by our Allegiance and Covenant, as to one Head and Monarch; and therefore the faithful Endeavours of both Kingdoms ſhould (without wearying) be conſtantly contributed, that we may be united to him by a happy and juſt Peace: For if one of the Kingdoms ſhall caſt off the King, and the other have a King; if the one ſhall make Peace with the King, and the other not make Peace, but be ſtill at variance with him, it is to be feared that no human Wit nor Policy will be able to keep the Two Kingdoms long without a Rupture: And if it pleaſe God ſo to incline the King's heart, and direct the Wiſdom of the Parliaments, as that the King and we could make a happy Agreement, no Power nor Policy can be able to divide us; for, *Qui conveniunt uni tertio, conveniunt inter ſe.*

The third ground and relation of our Unity, is the Conjunction of the Two Kingdoms, which hath been acknowledged to be ſo neceſſary and uſeful to both, that they have often declared, they would ſtand and fall, and (like *Hippocrates* Twins) live and dye together. And therefore, as we regard our Solemn Covenant with God Almighty, and tender the ſtanding and Safety of the Kingdoms, let us (with one heart and mind) join our Counſels and Actions, that whatſoever we reſolve upon for our common Peace and Security in relation to the King, and of each Kingdom to other, that it be done in Zeal to Religion, in Loyalty to the King, and with Unanimity amongſt our ſelves. And as the *Pythagoreans* did note the number of Two with the mark of Infamy, as being the firſt Number that durſt part from Unity; ſo, which ſoever of the Kingdoms ſhall firſt violate the Unity which is bound up in our Covenant, may apply it to themſelves: But if we ſhall adhere to that Unity which is builded upon the firm Foundation of Verity, in our relations to Religion, the King, and amongſt our ſelves, it will be a Threefold Cord, which is not eaſily broken; and our Unity, I hope, ſhall be turned into an Identity, both Kingdoms may be perfectly one.

Numerus Binarius infamis eſt, quia primus auſus eſt diſcedere ab unitate.

Having thus in the firſt place laid a ground for Unity of Counſels and Reſolutions; I ſhall in the next place humbly deſire and proteſt, That whatever may be our Propoſitions or Debates concerning the King, it be not miſconſtrued, as if one of the Kingdoms were impoſing Conditions upon the other, or that we are abſolutely wedded to any one deſire more than to another; but that (all ſeveral ways being amicably debated and rightly ponder'd), that which may ſerve moſt for the Safety, Security, and Happineſs of the King and both Kingdoms, may be gravely reſolved upon. And now I come to the Queſtion it ſelf, concerning the diſpoſing of his Majeſty's Perſon; firſt, Negatively, and then Poſitively. Negatively, the Queſtion is not of the Power and Authority of the Houſes of Parliament in diſpoſing of any Perſon, or judging of any Caſe which is of ſingle concernment to *England*: Nor is the Queſtion how the King's Perſon may be diſpoſed of *de facto*, by any one of the Kingdoms; neither is the Queſtion properly *de jure & poſſe*, but *de eſſe, & bene eſſe*: And as it is neither good Logick nor good Divinity to argue *à poſſe ad eſſe*; ſo ſure I am, in this caſe it is far worſe Policy for either Kingdom to diſpute what they may do in the height of their Power, when both are

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conſulting what is fitteſt to be done for the Peace and Security of both. And the relation of both Kingdoms to his Majeſty, and of each Kingdom to other being rightly conſidered, as he is King to both, as both are Subjects to him, as both are engaged in the ſame Cauſe, and have been in the ſame War, and are labouring under the ſame Danger, are ſeeking the ſame Remedies, and ſhould have the ſame Security; we do hold that the diſpoſing of the King's Perſon doth not properly belong to any one of the Kingdoms, but jointly to both. And after *Scotland* hath ſuffered the Heat of the Day, and Winters Cold, have forſaken their own Peace for love of their Brethren, have ſet their own Houſe on fire to quench theirs; after ſo much Expence of their Blood in all the Three Kingdoms, after we have gone along with you in all the Hardſhip of this War; and (without vanity be it ſpoken) have been ſo uſeful in this Cauſe; and that the King hath caſt himſelf into the hands of the *Scotiſh* Army, and that by the bleſſing of God upon the joint Endeavours of both Kingdoms we are come to the harbour of a Peace; we cannot expect that the Honourable Houſes will think it agreeable with Conſcience or Honour, or with the Juſtice of the Houſes, that the Perſon of the King ſhould be diſpoſed of by them as they ſhall think fit, or by any one of the Kingdoms alone; but that whatever ſhall be reſolved in this, may be done by joint Advice of both, as may ſerve moſt for the Peace, Security, and Happineſs of both Kingdoms.

The Lord Chancellor of *Scotland*'s ſecond Speech, at a *Conference* in the Painted Chamber with a Committee of both Houſes, *Octob.* 6. 1646.

AT our laſt meeting in this Conference, your Lordſhips did aſſert the Vote of the Houſes, That the Perſon of the King ſhould be diſpoſed on as the Two Houſes ſhall think fit; and we did hold, That the King, who is the Head and Monarch of both Kingdoms, ought not to be diſpoſed of by any one of the Kingdoms, but by joint Advice of both, as might ſerve moſt for the Peace, Happineſs, and Security of his Majeſty and both Kingdoms; which we fortified with ſeveral Arguments from the Intereſts and Relations which both Kingdoms have equally to the King, and from the Covenant and Treaty between the Kingdoms, as the beſt way to preſerve our Unity. But ſince your Lordſhips do adhere to the Vote of the Houſes, as that which you cannot part from, we do humbly deſire, that your Lordſhips may be pleaſed (in time convenient, at the cloſe of this Conference) to report the difference of our Judgment to the Honourable Houſes, who upon better Reaſons both may, and (we hope) will take their Vote into further Conſideration: And ſo with reſervation of our Judgment, that the diſpoſing of his Majeſty's Perſon doth belong to both, and not to any one of the Kingdoms, eſpecially in ſuch a Juncture of Affairs, as both Kingdoms ſtand engaged in this Cauſe; I ſhall deſcend particularly how the King's Perſon ſhould be diſpoſed of, to the beſt advantage of both Kingdoms, and for attaining ſuch a happy Peace as all good men ſhould deſire. But leſt we ſhould walk in the dark upon obſcurity of ambiguous words, I ſhall deſire that the word of diſpoſing of the King's Perſon may be rightly underſtood, and the true ſenſe of it may be clearly known: For, *Dolus verſatur in univerſalibus.* For, *To diſpoſe of the King's Perſon as both Houſes, or both Kingdoms ſhall think fit*, may in ſome ſenſe be to depoſe, or worſe: But becauſe the word [*Diſpoſe*] may admit a more benign Interpretation, as when men commit their Eſtates and Children, or that which is deareſt to them, to be diſpoſed of, (which is but to be adviſed) by thoſe who have neareſt relation to them, and in whom they repoſe moſt Truſt; I ſhall ſpeak of the diſpoſing of his Majeſty's Royal Perſon in that ſenſe, which (I hope) is alſo the ſenſe of the Houſes. Nor do I know any other way how his Majeſty's Perſon can be diſpoſed of, but that he be put either under Reſtraint, or be at Freedom with Honour and Safety. As for the way of Reſtraint, I look upon it as it looks upon us, as a Remedy more dangerous than the Diſeaſe, and as a Mean to draw the War of Foreign Kings upon us (eſpecially the Prince being in other Kingdoms) rather than to quiet our Troubles at home. And therefore ſuppoſing that none of the Kingdoms will take any way concerning his Majeſty's Perſon, but ſuch as may conſiſt with Duty and Honour, and which may leſſen, and not increaſe our Troubles, I ſhall lay aſide the way of Reſtraint, and ſpeak of the way which may be with Freedom, Honour, and Safety; which can be no other, but that his Majeſty ſhall go into *Scotland*, or come to his Parliament here, or ſome of his Houſes near-abouts.

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His going into *Scotland* is full of Dangers and Inconveniences to both Kingdoms: The *Amalekites* are not yet driven out of that Land. The bloody barbarous *Iriſh*, banded with a wicked Crew of Malignants, poſſeſs the Mountains and High-Lands, which are the Strong-holds, and never conquered parts of that Kingdom. They have not laid down Arms, but keep in a Body together; and they are ſo near *Ireland*, as the Forces of the Rebels there may in two or three hours ſpace come over and join with them; and (*Scotland*) not being able to keep and entertain Armies long, the King being there, may raiſe ſuch Forces in *Scotland*, as may make way quickly into *England*. And therefore his Majeſty's going into *Scotland* (before our Peace be ſettled) being of moſt dangerous conſequence to both Kingdoms, I ſhall humbly offer to your Lordſhips Conſideration his Majeſty's coming to *London*, or ſome of his Houſes hereabouts, as the moſt probable way to procure a ſpeedy and happy Agreement, which is alſo his Majeſty's own deſire in his Anſwer to the Propoſitions. And altho no Perſuaſion of ours could prevail to procure a more ſatisfactory Anſwer for the time than what is returned to the Houſes of Parliament, yet (I aſſure your Lordſhips) that the Committee of Eſtates of the Parliament of *Scotland*, and the Noblemen who were at *Newcaſtle*, did faithfully contribute their beſt Endeavours, that his Majeſty might have given his Aſſent to the Propoſitions: And as we did then deliver our Minds with that Plainneſs and Freedom which was fit for Faithful and Loyal Subjects, with no leſs regard to this Kingdom than our own Nation; ſo are we now (with the ſame Candor and Tenderneſs of Affection) willing and ready to concur with the Honourable Houſes in every thing which may promote the great work of Reformation, and ſettle Religion according to the Covenant, with a well-grounded Peace. And for theſe Ends, we deſire that his Majeſty's Anſwer may be improved to the beſt advantage of the Publick.

For albeit the King hath not given a preſent Aſſent to the Propoſitions, yet he hath not in his Anſwer refuſed them; but doth promiſe, That he will chearfully grant and give his Aſſent unto all ſuch Bills (at the deſire of the Two Houſes) and reaſonable Demands for *Scotland*, which ſhall be really for the Good and Peace of his People: To which end he deſireth and propoſeth, That he may come to *London* (or any of his Houſes hereabouts) upon ſecurity that he ſhall be there with Honour, Freedom, and Safety, as the beſt Expedient to procure a happy Agreement between his Majeſty and his Parliament; which we deſire may be weighed in the balance of righteous Judgment, as a buſineſs of the greateſt conſequence which can fall within human Conſideration, and wherein the Glory of God is moſt concerned of any buſineſs under Heaven. For upon a bleſſed Agreement between the King and his Parliament, Religion and Righteouſneſs, Truth and Peace, which are the compend and height of all Happineſs, will be eſtabliſhed, to the eternal Fame and Glory of *Great Britain*, and the great Comfort of all the Proteſtant Churches: And upon our diſagreement, all the Calamities of a bloody and unnatural War will be continued, and nothing heard nor ſeen in Church nor State, but Confuſion. God hath brought both Kingdoms thorough the Surges and Waves of a boiſterous Tempeſt, into the Harbour of a Peace, and hath ſcattered moſt part of our Enemies; and now our work is how to come aſhore, and eſtabliſh a right Peace. I hope it is as far from our deſires and intentions, as it is againſt our Covenant and Profeſſions, to change fundamental Government. We have need to take heed, that we run not from one Extreme into another: *Dum ſtulti vitant vitia, in contraria currunt*: Therefore our ſtudy would be how to cure the Wound which our Sins and the evil Counſels of others have made between the King and his Parliament, to make up the Breach, and not make it wider.

It hath been univerſally acknowledged, That the King's removal from his Parliament is the immediate and chief Cauſe of all the War, Miſchief, and Calamities of the Kingdoms: Then his Majeſty's Preſence in joining with his Parliament muſt be the beſt, if not the only Remedy to remove our Troubles; for it is a Maxim no leſs true than common, That *Contraries have contrary Conſequences.*

Contrariorum contraria ſunt conſequentia.

The King deſires to come to his Parliament, not only to have his Doubts cleared, and have theſe Difficulties explained which hinder his Conſent to the

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Propoſitions as they now ſtand: But likewiſe that his coming may raiſe a mutual Confidence between him and his Parliament: If the laſt were done, the firſt would ſoon be performed, and all thoſe Mountains of Difficulties would eaſily be removed, and become Valleys. 22 *Caroli.*

Your Commiſſioners had no power to give any Reaſons, no not ſo much as to tell what is the meaning of any of your Demands, nor hearken to any Deſire of the King's: And certainly ſome things might be juſtly moved by his Majeſty, which are neceſſary for the Crown, and a well-grounded Peace; as, That he may have his Revenues; That he may return with Honour and Safety to his Crown and Government. And if the King were with his Parliament, where he might both give and receive Satisfaction, he might with reaſon be convinced to aſſent to what he now conceives to be unreaſonable.

The making of a Peace is ſo great and glorious a Work, and ſo acceptable to all good men, and to the whole People, that it would (after ſo great trouble) be like Rain to the new-mown Graſs, or like a Reſurrection from the dead, and is a work worthy of a King's Preſence; and the King may without arrogancy deſire that Glory to himſelf, the more to reingratiate him to his People; and not devolve that Honour wholly to any other, wherein he himſelf ought to be the prime Actor. And therefore the King's Preſence with his Parliament is the moſt probable way to attain to a ſpeedy and bleſſed Peace, which certainly will be the more durable, if it be with the good liking of both ſides.

I know there is one common Objection (and I know not another) wherewith many are poſſeſt and prejudiced againſt the King's coming to his Parliament, That his Preſence may breed Diviſion, and that he may thereafter withdraw, and continue our Troubles. *Unity* and *Concord* (I confeſs) is that by which Kingdoms and Commonwealths do flouriſh, and there is nothing more dangerous than Diviſion, *Concordia enim res parvæ creſcunt, diſcordia vero maximæ dilabuntur.* But is there any greater or more dangerous Diviſion, than to have the Head divided from the Body? To have the King divided from his Parliament, the Repreſentative Body of the Kingdom, whereof he is the Head? Hath not this Diviſion divided Brother againſt Brother, the Father againſt the Son, and the Son againſt the Father, and Country againſt Country? This Diviſion is the Cauſe of all our other Diviſions: Take this away, and all our other Diviſions are at an end. *Ablatur cauſa tollitur effectus.* The King doth (with all earneſtneſs) deſire to be joined with you, and ſtands more in need of Reconciliation, and I hope will (according to his profeſſion) endeavour it, rather than Diviſion; and (I truſt) the Wiſdom of the Honourable Houſes is ſuch, as they will do ſo too, and rather be reconciled to the King, than divide amongſt our ſelves. And that Argument, Not to admit of the King's coming to his Parliament, becauſe his Preſence may breed Diviſion, is an Argument to debar him perpetually from his Parliament. And now the Caſe is altered from what it was, when it was thought unfit that the King ſhould come to his Parliament, becauſe then he had Forces in the Fields, Gariſons and Strong-holds to return to: Now he hath none of theſe againſt you; and his deſire of coming to his Parliament cannot be but with reſolution to agree and ſtay with you; for if he were once with you, where can he go from you? And if they were eſteemed Enemies to the Parliament and the Peace of the Kingdoms, who adviſed the King to withdraw from his Parliament, what eſtimation will the World have of them, who will not ſuffer him to return to his Parliament, when he offers to caſt himſelf in your Arms? Nor can there be a more real Teſtimony of our Reſpect and Affection to *England*, than that we deſire he may be with you, and be adviſed by you; neither can you have any greater Honour, than that (after you have diſſipated your Enemies) his Majeſty is willing to return to you. And if ſo kind an Offer ſhall be refuſed, and the King driven to deſpair, it is to be feared theſe Kingdoms will be involved in greater difficulties than ever; and we ſhall be driven out of the harbour and entrance of a Peace, into the Tempeſt of new and bloody Wars.

For altho *Scotland* be moſt willing and deſirous that the King ſhould return to his Parliament with Honour, Safety, and Freedom, and that he may remain where his Perſonal Preſence may ſerve moſt for the Security and Happineſs

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pineſs of his People; yet if any ſuch courſe ſhall be taken, or any demand made for rendring of his Perſon, which cannot ſtand with his Honour and Safety, or which cannot conſiſt with our Duty, Allegiance and Covenant, nor with the Honour of that Army to whom (in time of his extreme danger) he had his Recourſe for Safety; it cannot be expected that we can be capable of ſo baſe an Act. And if (to ſhun this, and avoid occaſion of quarrelling between the Kingdoms) he ſhall go to *Scotland*, and reſent his Expulſion out of *England*, and crave the Aſſiſtance of that Kingdom for Recovery of his Right to this Crown; he may in a ſhort time raiſe ſuch Forces in *Scotland* and *Ireland*, as with the Aſſiſtance of Foreign Princes, theſe Kingdoms may be made a Field of Blood, and the youngeſt amongſt us not live to ſee the end of theſe unnatural Wars. But if the preſent opportunity be wiſely managed, and that we maintain the juſt Privileges of Parliament, and Liberty of the Subject in both Kingdoms, with that Wiſdom and Diſcretion, as that may be given to God which is God's, and to *Cæſar* what is *Cæſar*'s; if we fear God and the King, and do not meddle with them who are given to change; that ſame Divine Providence and Wiſdom which hath brought us through many Difficulties, will alſo teach us how to eſtabliſh theſe Kingdoms in Peace, and the King's Throne in Righteouſneſs: That the great Bleſſing of a conſtant and Friendly Conjunction of the Two Kingdoms (now united by Allegiance and Loyal Subjection to one Sovereign and Head) may be firmly obſerved and continued to all Poſterity.

The Lord Chancellor of *Scotland*'s laſt Speech, at a Conference in the Painted Chamber with a Committee of both Houſes, *Octob.* 10. 1646.

My Lords and Gentlemen,

THis day I hope will bring our Conference to ſome Reſults to be reported to the Houſes; and therefore I ſhall frame my Diſcourſe and Arguments with that Succinctneſs as may bring us ſooneſt to a Cloſe.

At our firſt meeting, the Subject of our Debate was, Whether the Right and Power of diſpoſing the Perſon of the King is ſolely in the Two Houſes as they ſhall think fit, or in the Two Kingdoms; and at our laſt meeting we had ſome arguing about the ſame Queſtion; but your Lordſhips did ſtill aſſert the Vote of the Houſes; and we ſay (in reſpect of the intereſt and relations which both Kingdoms have equally to the King, eſpecially in the preſent Juncture of Affairs, when both Kingdoms are entred in the ſame League and Covenant, have jeoparded their Lives in the ſame War, are labouring under the ſame Danger, are ſeeking the ſame Remedies, and ſtand in need of the ſame Peace and Security; and both Kingdoms are bound by our Covenant to preſerve Unity, and are obliged by Treaty that none of us ſhall make any Peace, Ceſſation, or Agreement whatſoever, without mutual Advice and Conſent of both), That the Perſon of the King cannot be diſpoſed of without the joint Advice and Conſent of both Kingdoms. But as we do acknowledge that *England* hath Parity of Intereſt with *Scotland*, ſo do we ſtill offer that they ſhall have Parity of Power in diſpoſing of the King: And we do affirm, That the Perſon of the King, who is King of *Scotland* as well as of *England*, and is Head and Monarch of both Kingdoms, cannot be diſpoſed of by any one of the Kingdoms alone; but whatever is to be done concerning the diſpoſing of his Majeſty's Perſon, ought to be done by joint Advice and common Conſent of both, as may ſerve moſt for the Peace, Security, and Happineſs of the King and Kingdoms; which we did prove by ſeveral Arguments: To which there was nothing anſwered in effect, but, That the King being within *England*, his Perſon was to be diſpoſed of as the Two Houſes ſhall think fit; and that the King being with the *Scotiſh* Army, and they being paid by the Parliament of *England*, he is in effect in the Power of the Houſes, and ought to be at their diſpoſing, in the ſame way as if he had come to the Army of Sir *Thomas Fairfax*, or any other of the Parliament's Armies. To which we ſhall not need to make any Reply, other than we have made already, That the King's preſent Reſidence in *England*, nor no Locality, can take away the Reality of our Relations formerly mentioned by us, far leſs can it take away the Engagements and Stipulations between the Kingdoms; and though the *Scotiſh* Army be paid by the Parliament of *England*, yet they are the Army of *Scotland*, raiſed for purſuance of the Ends of the Covenant, and are to be ordered and directed by the Parliaments or Committees of both Kingdoms: And

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therefore they cannot with Conſcience, Duty, nor Honour, deliver the Perſon of the King without his own Conſent, to be diſpoſed of as the Two Houſes ſhall think fit. But we have declared, and do ſtill declare, That we are content that the Perſon of the King be diſpoſed of (the word *Diſpoſed* being taken in a right ſenſe) as may ſerve moſt for the Peace, Safety, Security, Honour and Happineſs of the King and both Kingdoms: And did offer to your Lordſhips Conſideration his Majeſty's coming to, or near *London*, as the moſt probable means to procure a ſpeedy and well-grounded Peace. And ſeeing your Lordſhips have done us the Honour to meet with us in this free and Brotherly Conference, we do expect that you will Concur and Aſſent to this Propoſition, or propound a better Expedient for the good of both Kingdoms.

But if the Honourable Houſes will not admit of this Propoſition, our next deſire is (that it may appear, no lawful and poſſible means are left uneſſayed, which may procure a happy Agreement betwixt the King and his Parliaments: and for our further Exoneration), That Commiſſioners may yet once more be ſent from both Kingdoms to his Majeſty, to ſhew the meaning of our Propoſitions, and to aſſert them, and to hear the King's Doubts, and Difficulties, and Deſires; who may further intimate, That (if his Majeſty ſhall not give a Satisfactory Anſwer to the Propoſitions) then both Kingdoms will, without making any ſuch further Application to him, take ſuch courſe as they ſhall judge fitteſt for the Peace and Security of the Kingdoms.

And as at the opening of this Conference I did begin with an humble, lawful, and laudable deſire for Unity, in relation to Religion, the King, and amongſt our ſelves; ſo ſhall I cloſe in the ſame Dialect: For the firſt, of Religion; if we do remember our Vows to God to perform them, and ſhall endeavour really, conſtantly, and ſincerely, the Reformation of Religion, and Uniformity according to our Covenant, we may certainly expect that God will crown this great Work, wherein he hath honoured us to be Actors, with his Bleſſing: But if in place of Uniformity, which we are obliged to endeavour, there ſhall be a Toleration of all Sects and ſorts of Religion, and if we neglect to build the Houſe of God, and become inſolent upon our Succeſſes; although we could mount up with Eagles Wings, and build our Neſts as high as the Stars, and had an Army who for Valour and Strength could march to *Conſtantinople*, God ſhall lay our Glory low in the duſt, and ſuffer the work to fall in our hands, like the Confuſion of *Babel*. And whatever hath been moved by us concerning the King, we deſire it may be rightly conſtructed, as proceeding from ſuch as have not wavered from their firſt Principles: For when the King was in the height of his Power, we did not, and (I hope) never ſhall flatter him; and when the Enemy was in the height of their Pride and Strength, *Scotland* did fear no Colours: And now when the King is at his loweſt Ebb, and hath caſt himſelf into our Army for Safety, we hope your Lordſhips will pardon us, from our ſenſe of Honour and Duty, to be very tender of the Perſon and Poſterity of the King, to whom we have ſo many near Relations, and not like the worſe of us; that we cannot ſo far forget our Allegiance and Duty, as not to have an Antipathy againſt the Change of Monarchical Government, in which we have lived through the Deſcent of ſo many Kings, and under which both Kingdoms have been governed ſo many Ages, and flouriſhed in all happineſs. And now my laſt word ſhall be for conſtant Unity between the Kingdoms; which as it hath been the chief means to promote the great Work wherein both Kingdoms are ſo deeply engaged, ſo there is nothing can make us ſo formidable to our Enemies, nor ſo much aiding one to another, as the cheriſhing and continuing thereof; and I dare ſay that no man would divide the one from the other, but ſuch as deſire to fiſh in troubled waters, and are real Enemies to both. God hath bleſs'd the joint Endeavours of both Nations, both are in one Ship, and are come through a very great Storm; and now when we are come into the Harbour, it would be great ſhame to both to ſplit upon the Rocks of Diviſion (*& devorato bove deficere in cauda*); and your Lordſhips may be confident, that *Scotland*, who have eſteemed no hazard too great for ſetling of Religion and Love to their Brethren, will ſtick ſo faſt and firmly to you, (ſo long as you hold the Principles of your Covenant) as no fear

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nor favour will ever be able to divide them from you; and we do expect that reciprocal Amity which may perpetuate our Unity.

Scots Papers.

The *Scots* alſo gave in long Papers; wherein they ſhewed, *That the King being Sovereign of both Kingdoms, was not to be diſpoſed by the Parliament of one Kingdom. That this was deſtructive to the Relation and Intereſt the* Scotiſh *Nation had in him, and contrary to the nature of Sovereignty, and to the Covenant and Treaties of both Kingdoms, by which it was agreed, That his Majeſty's juſt Power and Greatneſs ſhould not be diminiſhed; which by ſuch a Demand of his Perſon was very ſignally done. It was alſo argued, That all things in order to Peace (to which the Diſpoſal of the King's Perſon did relate in a ſpecial manner) ſhould be done by the joint Councils of both Kingdoms.*

Theſe Papers the *Scots* Commiſſioners (contrary to their own Deſire, and promiſe of Secreſy, as the Parliaments Committee alledged) did cauſe to be printed; which incenſed the Two Houſes ſo that they ſeized the Papers at the Preſs, and committed the Printers; but ſoon after they were for all that publiſh'd, but ſaid to be printed at *Edinburgh*. To theſe Papers the Commons ordered an Anſwer to be drawn; which being brought in, read and approved, paſs'd that Houſe; and the Queſtion being put, Whether the ſame ſhould be ſent up to the Lords for their Concurrence, it was carried in the Negative, and ſent to the *Scots* Commiſſioners, who returned the ſame, refuſing to accept thereof, becauſe it came not from both Houſes. Which Anſwer being publiſh'd by Order of the Commons, and for that it recite at large all the *Scots* Arguments on this Affair, 'tis hoped the Reader will excuſe its Tediouſneſs, if for his fuller Satisfaction it be here inſerted: Only firſt premiſing a Speech ſpoken in the Commons Houſe on that Subject.

A Speech made in the Houſe of Commons the 26th *day of* October, 1646. *(upon the Reading of the* Scotiſh *Papers, in Reply to the Votes of both Houſes of Parliament, of the* 24th *of* September, *concerning the Diſpoſal of the King's Perſon.) Spoken by* Thomas Chaloner, *Eſq; a Member of the ſaid Houſe.*

Mr. Speaker,

YOU have juſt now heard Two Papers read before you from the Commiſſioners of *Scotland*; the firſt concerning the Diſpoſal of the King's Perſon, the other touching the Diſtractions of the *North*, by reaſon (as they ſay) of the Non-payment of their Army. I ſhall ſpeak nothing to the latter, becauſe it hath been ſo ſufficiently anſwered by divers knowing Members of this Houſe. To the firſt I ſhall wholly apply my ſelf, becauſe little or nothing hath been ſaid to that point.

The Queſtion then before you is, About the Diſpoſal of the King's Perſon: You ſay, That he is to be diſpoſed of as both Houſes of Parliament ſhall think fitting; but your Brethren of *Scotland* ſay he is to be diſpoſed of as both Kingdoms ſhall think fitting: And they fortify their Affirmation with theſe Reaſons:

They ſay, That he is not only King of *England*, but alſo King of *Scotland*; and as you have an Intereſt in him, he being King of *England*, ſo have they no leſs Intereſt in him, he being King of *Scotland*. And as they have not the ſole Intereſt in him, he being King of *Scotland*, becauſe they acknowledge withal that he is King of *England*; ſo have not you the ſole Intereſt in him, he being King of *England*, becauſe they deſire you to remember that he is alſo King of *Scotland*: So as neither Nation having a Sole, but a joint Intereſt in his Perſon, they ought jointly to diſpoſe of it for the Weal and Benefit of both Kingdoms.

This I take to be the whole Scope of their Argument, which they have repreſented unto you under ſo many diſguiſes, and as it were by multiplying-glaſſes, inſomuch as the bare relating of it, takes up Three large Sheets of Paper.

But while they debate this great Queſtion with you, touching the diſpoſal of the King's Perſon, and while they poſitively affirm, That he is to be diſpoſed of by the joint Conſent of both Nations; give me leave to remember

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ber you, That in the mean time they diſpoſe wholly of him themſelves, and ſo have done for theſe ſix months, and may for ſix months longer, for any thing I can gather out of theſe Papers.

Their Argument runs thus:

Whereſoever the Kingdom of Scotland *hath an Intereſt in their King, there they may diſpoſe of him.*
But the Kingdom of Scotland *hath an Intereſt in their King, he being in* England.
Therefore in England *they may diſpoſe of him.*

Sir, This may ſeem at the firſt to ſome to be a fair and ſpecious Argument, but let it be well conſidered, it will prove erroneous and fallacious: For in the Major Propoſition they underſtand one thing by the word King, and in the Minor Propoſition they underſtand another thing by the word King, and ſo here is a concluſion inferred, which the Premiſſes will not warrant.

For the clearing whereof, I pray Sir, remember that this word King is of a various ſignification, ſometimes it is taken *in abſtracto*, that is, for the Royal Power, Function, and Office of a King; ſometimes it is taken *in concreto*, that is, for the Man or Perſon whom we call King.

If their Major Propoſition be taken in the firſt ſenſe, we ſhall never deny it them, nay we ſhall acknowledge that the King of *Scotland* being taken *in abſtracto*, we have nothing to do with him at all, he is ſolely and totally their's: God forbid that a King of *Scotland* going out of his Kingdom, ſhould either make *Scotland* ceaſe to be a Kingdom, or give any participation of Intereſt to that Country where he doth reſide. Let his perſon reſide in the furtheſt parts of the earth, yet the Royal Office and Capacity of the King reſideth ſtill in *Scotland*; they have his Sword to do Juſtice by, they have his Scepter to ſhew mercy by, they have his Seal to confirm what they pleaſe by, and they have his Laws to govern by; and in this ſenſe it is only meant that the King is never under years, never dies, cannot be deceived, can neither do wrong, nor take wrong of any body; and in this ſenſe we fight for King and Parliament, though the Perſon of the King be in oppoſition to both; and in this ſenſe the Returns and Teſts of the King's Writs are, *Coram me-ipſo apud Weſtmonaſterium*, and *teſte me-ipſo apud Weſtmonaſterium*, let the Perſon of the King at the ſame be in *France*, or the remoteſt Country in the World; but a King of *Scotland* taken in this ſenſe is never out of *Scotland*: And therefore whereas they ſay in the Minor Propoſition, That the Kingdom of *Scotland* hath an intereſt in their King, he being in *England*, this muſt needs be meant of a King *in Concreto*, that is, only of the Perſon of their King, and not of his Royal Capacity; and in this ſenſe we muſt deny that they have any thing at all to do with him: For though the Royal Office of the King of *Scotland* is ſolely to be diſpoſed of by the State of *Scotland*, yet it is not ſo with his Perſon; for *Perſona ſequitur locum*, and his perſon muſt be diſpoſed of by the Supreme Power of that Country whereſoever he ſhall happen to abide. Suppoſe a King of *Scotland* ſhould be in *Spain*, will they ſay they have as great an intereſt to diſpoſe of his perſon there as in *Scotland*; I think they will not ſay ſo; and yet they did affirm laſt day at the Conference, That they had as good right to diſpoſe of his perſon at *Weſtminſter*, as they had at *Edinburgh*: But under their favour, *England* is as diſtinct a Kingdom from *Scotland*, as *Spain*; it is as diſtinct in Laws, diſtinct in Privileges, diſtinct in Intereſt; it is neither ſubordinate nor dependent of *Scotland*, and they can no more diſpoſe of a King of *Scotland*'s perſon, he being in *England*, than if he were in *Spain*.

I ſhall take this as granted for good Law, That let the perſon of any Nation under the Sun, which is in Amity with *England*, happen to come into *England*, that perſon is forthwith a Subject of *England*.

For he being protected by the Laws of *England*, he becomes thereby ſubject to thoſe Laws, it being moſt certain, that *Protectio trahit ſubjectionem, & ſubjectio protectionem*, they being relatives, the one cannot ſtand without the

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other; and as no man can be ſaid to be a Father, that hath no Son, nor no man a Husband, that hath no Wife, ſo no man can be ſaid to be protected, that is not withal thereby ſubjected. And ſince without ſuch protection every man may kill him, and deſtroy him, it ſeems to ſtand with no proportion of Juſtice, that a man ſhould be protected in Life, Limb, or Eſtate, by any Law, that will not ſubject himſelf to that Law.

It cannot be denied but that there is a Twofold Subjection, Legal, and Local; the Legal Subjection is due from every Subject to his Natural Prince; the Local, from any Foreigner to that Prince or State where his perſon doth reſide. And this, though it be only *pro tempore*, and the other during life, yet it doth for the time totally obſtruct the operation of the other ſubjection; ſo that no King can command any Subject of his, living out of his Kingdom, but ſuch Subject of his is to be diſpoſed of by the ſole Authority of that Supreme Power where he makes his Reſidence. And ſince the queſtion is only about the perſon of a King of *Scotland*, for I conceive they will not take upon them any Authority to diſpoſe of the Perſon of a King of *England*, I do affirm, That if a King of *Scotland* ſhould have come into *England* before the Union of both theſe Kingdoms, he had been inſtantly a Subject of *England*, and his perſon to be diſpoſed of by the ſole Authority of the Laws of *England*.

For either we muſt take him as a King, or a Subject, ſince betwixt them two there is no Medium: As a King we cannot take him, unleſs we ſhould commit Treaſon againſt our Natural Prince, and ſubject our ſelves to any but to him; it being moſt certain, that there is the ſame Relation betwixt the King and his Subjects, as betwixt the Husband and his Wife; and as no man can be ſaid to be a Husband, but to his own Wife; ſo no man can be ſaid to be a King but to his own Subjects; and therefore we cannot admit of any Regality in the perſon of a King of *Scotland* coming into *England*, unleſs at the ſame time to the ſame perſon we ſhould confeſs ſubjection. For that it is moſt true, that as none can be ſaid to be *Rex ſine Regno*, ſo no man can be ſaid to be *Rex* but *in Regno*. Therefore if a King of *Scotland* coming as aforeſaid into *England*, if againſt the Laws of *England* he do offend, by thoſe Laws of *England* he muſt be tried, and by none other; for *ubi quis delinquit, ibi punietur*; and it is moſt ſure, that we have diſpoſed of the perſons of Kings of *Scotland* coming into *England*, both living and dead. And if we may diſpoſe of the perſon of a King of *Scotland* without the conſent of the Kingdom of *Scotland*, much more may we diſpoſe of the perſon of a King of *England*, he being now in *England*, without their Privity or Advice. But if they have any power to diſpoſe of him, it is becauſe they are either our Maſters or our Fellows: If they be our Maſters, let them ſhew the time when they conquered us, or the price for which we were ſold unto them. If they be our Fellows, why come they not to our Parliaments, why contribute they not to our Neceſſities? But as it is apparent that they being two diſtinct Kingdoms, governed by two diſtinct Laws, ſo they ought not to intermeddle one with anothers intereſt, but to content themſelves with what doth naturally appertain to each of them ſeverally.

There is no doubt to be made, but that every Husband hath as great an intereſt in the perſon of his Wife, as any Subject hath in the perſon of his Sovereign; and yet a man may loſe that intereſt by ſome act of his Wife's, as if ſhe commit Felony, Murder, or Treaſon, the Law diſpoſeth of her Perſon, and her Husband cannot claim any Right, ſo much as to her dead Body: So fareth it with a King, who by going out of his Kingdom, or by being taken Priſoner by his Enemies, his Subjects loſe the intereſt they had in him, and he is at the diſpoſal of his Enemies *Jure belli*. *John* King of *England* was cited to appear at *Paris*, to anſwer for the death of *Arthur Plantagenet*, Duke of *Britain*, whom he had murthered; the State of *England* would not let him go, as holding it a great Indignity and Incongruity, that a King of *England* ſhould anſwer for any thing at *Paris*, right or wrong: The *French* anſwered, that they cited him not as King of *England*, but as Duke of *Normandy*; as King of *England*, they acknowledged to have nothing to do with him, he was in that reſpect without them, and beyond them;

them; but as Duke of *Normandy*, which he held in Fee of the Crown of *France*, he owed Fealty and Allegiance for the ſame to the Crown of *France*: and therefore ought to anſwer. The *Engliſh* replied, that if the Duke of *Normandy* did go, the King of *England* muſt go; and if the Duke of *Normandy* were beheaded, they knew well enough what would become of the King of *England*. Upon large debate hereof by all the Lawyers in *France*, it was reſolved, That if *John* had been in *Normandy* at the time of his Summons, he ought to have appeared; but he being *Extra Juriſdictionem Regni Franciæ* at the time of his Summons, and *Infra Juriſdictionem Regni Angliæ*, though legally he were a Subject of *France*, yet locally he being in *England*, his Summons was void, and he forfeited nothing by his Non-appearance.

I will only urge one Argument more, deduced from a known Maxim of the Law, not of *England*, but of *Scotland* alſo, which the Commiſſioners of *Scotland* the other day at the Conference did cite themſelves, in my opinion much againſt themſelves; and that is this, *Quando Duo Jura, inter Duo Regna* (ſaith a great Lawyer) *concurrant in una perſona, æquum eſt ac ſi eſſent in diverſis*; which is no more than this, When Two Kingdoms held by Two diſtinct Titles, do concur in one and the ſame perſon, it is all one as if they were in two diſtinct perſons. I ſuppoſe here is our very caſe; here are two Kingdoms, *England* and *Scotland*, held by two diſtinct Titles, which do both concur in one Perſon, in the perſon of King *Charles*; it is all one, ſaith this Rule and Maxim of the Law, as if they were under two ſeveral perſons; why then put the caſe that there were one King of *England* and another of *Scotland*, would the State of *Scotland* have any thing to do to diſpoſe of the perſon of a King of *England*, he being in *England*? I think you will ſay they could not.

Sir, I am ſorry that our Brethren have moved this queſtion at this time; for all queſtions make debates, and debates differences; and this were a time for Brothers to reconcile differences, rather than to make them; we have now lived Forty four Years, both under two Princes, and in all this time this queſtion was never ſtirred in till now; had it been ſtirred in, no queſtion but it had been rejected. The people of *England* would have held it very ſtrange that they could not have diſpoſed of the perſon of their own King; or that a King of *England* could not have gone from *Whitehall* to *Richmond* or *Hampton-Court*, without the will and appointment of the Council of *Scotland*: They would have thought they had made an evil bargain by ſuch a Union. For before the Union, they might have diſpoſed of the perſon of their Prince; but after, not. And ſince they conceived that by the addition of *Scotland* there was an addition of Charge, they would have been very ſorry withal to have had an addition of Servility.

Since the beginning of the World there was never before ſuch a Contention about the perſon of a King. The *Greeks* and *Trojans* did contend for a long time in fight about the dead Body of *Patroclus*, which of them ſhould have it: But here is not a Contention about the dead Body of a private man, but about the living Body of a King: Neither do we contend as they did, who ſhould have his perſon, but here you do contend (as far as I conceive) who ſhould not have it. Your Brethren of *Scotland* ſay poſitively, they will not have the King's perſon upon any Conditions whatſoever. It is now above Six Months paſt that you voted in this Houſe the demanding of the King's Perſon, but the Lords refuſed to join with you; ever ſince until this preſent you your ſelf did acquieſce as if you had repented of your former Vote: Now he muſt be put upon you, and with ſuch Terms as his preſent Guardians pleaſe to allow of.

Truly it ſeems ſtrange to me, that an Army of *Scots*, in pay of the Kingdom of *England*, which by the Treaty ought to be governed by the joint conſent of the Committees of both Kingdoms upon the place, ſhould in *England* take a King of *England*, without the privity of the *Engliſh* Committee, and convey him to *Newcaſtle*, a Town likewiſe of *England*, and ſhould there keep him for Six whole Months, without the Conſent of both Houſes of Parliament. And when they find it not convenient for them to keep him

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any longer, then they will capitulate with you, upon what Conditions you muſt receive his perſon.

I never thought to have found a King of *England*, his perſon being in *England*, under any other protection but that of the Laws of *England*; but now I find him under the protection of a *Scotiſh* Army, whither they ſay he is fled for ſhelter, and that they cannot render him up in Honour.

Sir, if that Army of theirs be come into this Kingdom as Brethren, Friends, and Confederates, (as we hope they are) then is every perſon of that Army, during the time of his ſtay here, locally a Subject of *England*; and ſuch Children as are born to them here are not Aliens but Deniſons, and not only local but legal Subjects of this Kingdom. And therefore they having gotten the King into their hands, they ought no more to capitulate upon what Terms he ſhould be delivered into yours, than if the Army of Sir *Thomas Fairfax* were in poſſeſſion thereof; who if they ſhould deny the ſurrendring of the King unto you, but upon Condition, no queſtion but it were capital.

They ſay, That by virtue of the Covenant they are obliged to defend his Perſon and Authority. What his Authority is in *Scotland*, themſelves beſt know; but you only are to judge of it in *England*, ſince being not ſubordinate to any Power on Earth, there is no Power under Heaven can judge you. The Covenant ties you to maintain in the firſt place the Rights of Parliament, and the Liberties of the Kingdom; and in the ſecond place, the King's Perſon and Authority; and that only in defence of the former, and not otherwiſe. And whereas they expect the King ſhould be received by you with Honour, Safety, and Freedom, I beſeech you, Sir, conſider whether (as the Caſe now ſtands) his Reception with Honour can ſtand with the Honour of the Kingdom, whether his Safety be not incompatible with the Safety of the Commonwealth, and whether his Freedom be not inconſiſtent with the Freedom of the People.

I pray (Sir) take heed leſt that bringing him in with Honour, you do not diſhonour your ſelf, and queſtion the very Juſtice of all your Actions; be wary that in receiving him with Safety, you do not thereby endanger and hazard the Commonwealth; be adviſed, leſt in bringing him home with Freedom, you do not thereby lead the People of *England* in Thraldom.

I pray (Sir) firſt ſettle the Honour, Safety, and Freedom of the Commonwealth, and then the Honour, Safety, and Freedom of the King, ſo far as the latter may ſtand with the former, and not otherwiſe.

Wherefore I ſhall conclude with my humble deſire, That you would adhere to your former Vote; that is, That the King be diſpoſed of as both Houſes of Parliament ſhall think fitting; and that you enter into no Treaty either with the King or your Brethren of *Scotland*, leſt otherwiſe thereby you retard the going home of their Army out of *England*.

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The Anſwer of the Commons aſſembled in Parliament, to the Scots *Commiſſioners Papers of the* 20th, *and their Letter of the* 24th *of* October *laſt.*

THAT there might be a firm and laſting Brotherly Union between the Two Kingdoms, is the earneſt deſire of our hearts; and that our Proceedings may be according to our Covenant, and the Treaties between us: And that our Endeavours have been accordingly, our own Conſciences, our Brethren of *Scotland*, and all that know our ways, can bear us witneſs.

That we may ſtill walk in the ſame Path, prevent all Miſapprehenſions, and bring a right underſtanding amongſt us; the Commons aſſembled in the Parliament of *England*, do return this enſuing Anſwer to your Lordſhips Two Papers of the Twentieth, and to your Letter of the Twenty fourth of *October* laſt: Wherein our end being to give Satisfaction to the Arguments in your Papers, we ſhall therefore anſwer the ſeveral Particulars in the method we find them: Only to make our whole Intentions the more eaſily known (the Method you have taken in your Papers not allowing us a clear Connection of the Matters therein contained, and enforcing us to repeat the ſame thing oftner than we deſire) we ſhall firſt premiſe and lay down theſe following Conſiderations:

I. Firſt, That your Papers being grounded upon the Reſolutions of both Houſes, and on the Conference thereupon had, we ſhall ſet down the true ſtate of Fact concerning them; which was thus: Upon the 24*th* of *September*, 1646. the Houſes paſſed theſe Reſolutions, (*viz.*) 1. *That the Perſon of the King ſhall be diſpoſed of as both the Houſes of the Parliament of* England *ſhall think fit.* 2. *That the Houſes do declare, That whatſoever Conference, Conſultation, or Debate, ſhall be with the Commiſſioners of* Scotland *concerning the Diſpoſal of the Perſon of the King, it ſhall not be underſtood to be any Capitulation in relation to the retarding of the march of the* Scots *Armies and Forces out of the Kingdom, or of any Treaty between the Kingdoms concerning the ſame.*

Upon the ſame 24th day of *September, A Committee is appointed to meet with a proportionable Number of the Lords in the Painted Chamber, to Confer, Conſult, and Debate with the Commiſſioners of* Scotland, *concerning the Diſpoſal of the Perſon of the King, if it ſhall be deſired by the* Scots *Commiſſioners; and this to be communicated to the* Scots *Commiſſioners by the Members of both Houſes, of the Committee of both Kingdoms.* Theſe Reſolutions, ordered to be communicated to the Commiſſioners of *Scotland*, were accordingly delivered to them by the Members of both Houſes, that are of the Committee of both Kingdoms, the 25*th* of the ſame Month.

Upon the 29*th* day of *September* your Lordſhips by your Paper deſired a Conference in theſe words; *We have peruſed the Votes of both Houſes, communicated to us by your Lordſhips; and as we did formerly deſire in our Paper of the* 11th *of* Auguſt *laſt, ſo we ſhall be ready on* Thurſday *next to Confer, Debate, and Conſult with ſuch as the Honourable Houſes have thought fit to appoint: And if their Committee cannot with conveniency meet at that time, we deſire it may be ſo ſoon as poſſibly they can.*

By Command of the Commiſſioners for the Parliament of Scotland,

Jo. Cheiſly.

Which

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Which was thus granted; *(viz.)* 1. Octob. *Ordered, That the Committee formerly appointed to meet with the Commiſſioners of* Scotland, *Do meet this Afternoon at Three of the Clock with the ſaid Commiſſioners, to Confer, Debate and Conſult with them, concerning the Diſpoſal of the Perſon of the King, according to the former Votes and Declarations of both Houſes.*

Upon the firſt day of *October*, before the Conference did begin, all theſe Papers were read, and your Lordſhips were told by our Committees, If you were pleaſed to ſay any thing *Herein*, they were ready to confer with you *according to thoſe Reſolutions*, ſo as this Conference was by your conſent to be with theſe Two Limitations; *(viz.)*

1 That it ſhould be about the Diſpoſing of the King's Perſon as both Houſes of the Parliament of *England* ſhall think fit.

2. That it ſhall not be underſtood to be any Capitulation in relation to the retarding of the March of the *Scots* Armies and Forces out of the Kingdom, or of any Treaty between the Kingdoms concerning the ſame.

And all things in your Speeches and Papers, concerning Change of Fundamental or Monarchical Government, or Uniformity in Church Government, Toleration of all Sects and ſorts of Religions; concerning the King's voluntary diſpoſing of himſelf, (it being granted by you, That his Perſon is to be diſpoſed by your joint Conſent) or concerning the manner of Diſpoſing of him; and all other things of like nature, ſaving only about the Right of this Kingdom to diſpoſe of the Perſon of the King in *England*, without the joint Advice and Conſent of the Kingdom of *Scotland*, being foreign to the matter of theſe Reſolutions, were improper at this Conference; for our Committee having their Limits, could not expect to hear any ſuch, or were to intermeddle to give an Anſwer to them.

II. That the matter of the Conference being ſtated by the Houſes, and your Lordſhips often put in mind, in Anſwer to your Claim for the Kingdom of *Scotland*'s Right of joint Intereſt in diſpoſing the Perſon of the King, That the ſole matter thereof was concerning the Two Houſes of Parliament of *England* having the Right to diſpoſe the Perſon of the King in the Kingdom of *England*, without the joint Advice and Conſent of the Kingdom of *Scotland*: Your Lordſhips did make your Objections; to which our Committees Anſwered; your Lordſhips Replied; and our Committees Anſwered thoſe Replies: Yet in your Paper you ſtate the Queſtion, as if to be debated on your Reſolutions; and place our Committee to make Objections; and your Lordſhips make the Anſwer of our Committees to your firſt Objections, and their Anſwer to your Replies, as one entire Objection: Your Lordſhips well know, an Anſwer to a Reply may be full as to the Reply, yet not applicable to every part of the firſt Objection.

III. That your Lordſhips engaged our Committees at the Conference to make no Report of any thing had paſſed at the ſame, till you had delivered your own Anſwer in writing: And before any Report made by our Committee, or any Paper put into the Houſes by you, ſome of your Lordſhips did give directions for the printing Three thouſand Copies of the Lord Chancellor's Speeches at that Conference, which by the Printers Confeſſions had been publiſhed on *Thurſday* the 15*th* of *October* laſt, had they not been ſent for by an Order of the Houſe of Commons, *Wedneſday* the 14*th* of the ſame Month; after which time, and not before, they received Order from you not to publiſh them till further directions; which Speeches are ſince publiſhed, and ſaid to be printed at *Edinburgh*.

That

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That you printed thoſe Papers which you afterward gave in to the Houſes as your Anſwer to thoſe Votes (which were the Subject of the Conference) ſooner than it was poſſible for the Houſes to give an Anſwer to Papers of that length; as if the Prepoſſeſſing of the People were more conſidered by you than the Satisfaction of the Houſes: And if your Lordſhips had thought fit to have ſtaid for our Anſwer, we conceive you would not have publiſhed thoſe Papers, which is an Action contrary to the Practice of all Publick Miniſters, who ought not to publiſh to the people the Tranſactions between them and that State to which they are employed: Which we are enforced to repreſent to your Lordſhips, and to publiſh this Anſwer, it having been ſo often done by your directions in this Kingdom; and in this preſent buſineſs done after ſuch a manner, neither we, nor any employed by us, having ever done any ſuch thing in the Kingdom of *Scotland*.

IV. That the Intereſt of *Scotland* in the King, and the *Exerciſe* thereof in the Kingdom of *England* being of ſeveral and diſtinct natures, are not to be confounded as one and the ſame thing; for if you grant that you have no Right of Exerciſe of Intereſt in diſpoſing the Perſon of the King (he being in *England*) we ſhall not diſpute your having Intereſt in him.

V. That the queſtion then was, *Who* ſhall diſpoſe of the Perſon of the King in *England*, and not *after what manner* his Perſon ſhall be diſpoſed: And it is to be conſidered in what Condition the King now is, That he hath deſerted his Parliament and People, entred into, and continued in a bloody and dangerous War againſt them; hath not granted thoſe Propoſitions that by both Kingdoms were ſent unto him, as the means of a ſafe and well-grounded Peace; and therefore is not for the preſent in a condition to exerciſe the Duties of his Place, or be left to go or reſide where and when he pleaſeth: And your Lordſhips did at the Conference declare, That it was prejudicial to both Kingdoms for the King to go into *Scotland*.

VI. That your Lordſhips cannot in reaſon inſiſt, becauſe in our diſpoſing the Perſon of the King, we may hereby prejudice the Kingdom of *Scotland* (the which was never yet done by us) on ſuch a poſſibility to claim a joint Right in diſpoſing the Perſon of the King in this Kingdom, which from the firſt coming hither of King *James*, now Forty four Years, was never before claimed; when as the Two Kingdoms had not then that Security from each other againſt all imaginary Prejudices, which might happen through the Abuſes of their particular Rights, as now they have, being engaged by Covenant in their ſeveral Vocations, mutually to preſerve the Rights and Privileges of the Parliaments, the Liberties of the Kingdoms, and the King's Perſon and Authority, in the preſervation and defence of the true Religion, and Liberties of the Kingdoms, as by the Third Article of the Covenant doth clearly appear.

What would your Lordſhips think, if we ſhould claim joint Right of Intereſt in your Towns, your Forces, or Money in *Scotland*, upon that Suppoſition, That poſſibly you may uſe them to the prejudice of this Kingdom? Let not the Reſults of your Arguments for Union, or for the King, be, That the Kingdom of *Scotland* may exerciſe their Intereſt in the Kingdom of *England*: Nor let your Expreſſions obliquely infer, That the Parliament of *England* will not do what becometh them to the King; ſince all the World doth know, that this Kingdom hath in all times ſhewed as great Affections to their Kings, as any other Nation.

VII. Be-

An. 1646.

VII. Becauſe your Lordſhips moſt inſiſt upon the Covenant and Treaty in this Caſe, and alſo throughout all your Anſwers to thoſe you call Objections, we ſhall, out of many, inſert ſome of the Expreſſions in your Papers, concerning the Covenant and Treaty.

(Pag. 5. and 6. of your Papers.) *And unleſs we lay aſide the Covenant, Treaties, Declaration of both Kingdoms, and Three Years Conjunction in this War, neither the one Kingdom nor the other muſt now look back what they might have done ſingly before ſuch a ſtrict Union; but look forwards what is fitteſt to be done by both jointly, for the common good of both, and for the ends of the Covenant, which both are obliged jointly to proſecute and promote.*

And as Reaſons may be drawn from the nature of all Aſſociations, ſo eſpecially from the nature of ours in the Solemn League and Covenant; the Title, Narrative, Articles and Concluſion of it, do all along link together the Intereſt of the Kingdoms in this common Cauſe, ſo much concerning the Glory of God, their own Safety, Union, and Peace, and the Honour and Happineſs of the King and his Poſterity: Which Ends of the Covenant, both Parliaments as well as other Subjects of both Kingdoms, have obliged themſelves jointly and mutually to promote.

Page 6. *So that the ends of the Covenant, upon which the Diſpoſal of the King muſt needs have a ſtrong influence, are not to be proſecuted by the Two Kingdoms, as by Two diſtinct Bodies acting ſingly, but they were united by Solemn Covenant made to Almighty God, and by League each to other, as one entire Body, to proſecute this Cauſe.*

Page 9. of your Papers. *Wherefore we cannot chuſe but obſerve, by the Conjunction and Parity of Intereſts, by the Treaty between the Kingdoms, by the Solemn League and Covenant, that there may be a Conjunction of the Councils and Reſolutions of both Kingdoms, in diſpoſing of that Royal Perſon who is King of both.*

Page 13. *That the proſecution of this War ſhould be with the joint Advice and Conſent of both Kingdoms; and according to theſe grounds a Covenant was agreed upon for the Reformation of Religion, and preſervation of the Liberties of the Kingdoms, and of the King's Perſon and Authority.*

Page 7. *From the Treaty the ſame thing doth further appear; it being thereby manifeſt, That our Army was to be levied for the common good of both Kingdoms, in purſuance of the ends expreſſed in the Covenant.*

Again, Page 7. *So that if the diſpoſal of the King's Perſon, mentioned in the Vote of both Houſes, be intended for the Good, Peace, and Security of both Kingdoms, then it ſhould not be done without the mutual Advice and Conſent of both.*

Thus far out of your Papers.

Having thus laid down, That you claim that nothing contained in the matter of the Covenant, or to be done in purſuance of the ends thereof, or that hath a ſtrong influence thereupon, can be done by the Kingdom of *England*, *in England*, without the *Joint* Advice and Conſent of the Kingdom of *Scotland*; we ſhall in the next place lay down the moſt material things contained in the Covenant; which are, The Reformation of Religion in *England* and *Ireland*; The Extirpation of Popery, Prelacy, Superſtition, Hereſy, Schiſm, and Prophaneneſs; The Preſervation of the Rights and Privileges of the Parliaments, and Liberties of the Kingdoms; and to preſerve and defend the King's Majeſty's Perſon and Authority, in the preſervation and defence of the true Religion, and Liberties of the Kingdoms.

Whence

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Whence neceſſarily follows, That the *Militia* by Sea and Land in the Kingdoms of *England* and *Ireland*: The power of making Peace and War with Foreign States: The King's Conſent in the enacting any Law: The Power of the Houſes of the Parliaments of *England* and *Ireland* in caſes of Judicature upon Delinquents and Monopolies, Impoſitions, and other Grievances upon the People of this Kingdom: The conferring the great Places of Honour and Truſt, making of Peers of Parliament; conferring other Titles of Honour; what Revenue the King is to have in *England* and *Ireland*, and how to be diſpoſed; and whatſoever elſe is to be done by the King and Kingdom, or by either of them in relation each to other, cannot at any time be acted without the *Joint Advice and Conſent of the Kingdom of* Scotland: For the Covenant expreſſeth in the Third Article, 'To 'preſerve and defend the King's Majeſty's Perſon and Authority, in the 'preſervation and defence of the true Religion and Liberties of the King-'doms; and for the Reformation of Religion in *England* and *Ireland*, the 'Extirpation of Popery, Prelacy, Superſtition, Hereſy, Schiſm and Pro-'phaneneſs, the preſervation of the Rights and Privileges of Parliaments, 'and Liberties of the Kingdoms. It alſo followeth, 'That the Kingdoms 'of *England* and *Ireland*, as well in things that have no relation to the 'King, as in thoſe which have, can exerciſe no Powers or Juriſdictions, '*without the Advice or Conſent of the Kingdom of* Scotland. The matters of Religion, Privileges of Parliaments, and Liberties of the Kingdoms, comprehending whatſoever is to be acted in the Government of the Kingdoms of *England* and *Ireland*; on this foundation laid in your Papers, the Kingdom of *Scotland* may, when they ſee time, claim a Right of joint Intereſt with the Kingdom of *England* in all the things before-mentioned; and except againſt, and queſtion the Validity of the Ordinances for taking away of the Court of Wards, ſetling the Militia of the Kingdoms of *England* and *Ireland*, for Sale of Biſhops Lands, and all other Proceedings in Parliament ſince the Covenant and Treaty, whereto the Conſent of the Kingdom of *Scotland* hath not been had.

And your Lordſhips by obteſting in theſe words, 'That there may be a 'Convention of the Councils and Reſolutions of both Kingdoms, in diſpo-'ſing of that Royal Perſon who is King of both. And that all lawful and poſſible means, of which this is one, and a chief one, may be uſed, which may preſerve his Majeſty's Perſon, Honour, and Happineſs. And from your Propoſition, That the King may come hither in Safety, Freedom, and Honour, you do now claim from the Covenant and Treaty a Negative Voice, and Right of *Joint Conſent* with this Kingdom, in all things in relation between the King and the Kingdoms of *England* and *Ireland*; which are all comprehended under the words of Safety, Freedom, Honour, and Happineſs.

We ſhall now appeal to the Conſciences of our Brethren of *Scotland*, and of all thoſe who have taken or read this Covenant or Treaty, if any ſuch Conſtruction can be made out of them, or any of them; or whether it would have ever entred into the Thoughts of the Free People of this Kingdom, to have made ſuch a Covenant or Treaty, which might any way bear ſuch an Interpretation, ſo deſtructive to their Freedoms, as to introduce another Nation to be one of the Eſtates of this Kingdom, and to have a *Negative Voice* in all things concerning their Welfare; whereby we ſhould at once give up what we have for ſo many Ages derived from our Anceſtors, and what we have endeavour'd to preſerve with ſo great an Expence of Blood and Treaſure; and ſo much the rather, in reſpect this preſent Parliament hath not, nor doth claim any thing of this nature within the Kingdom of *Scotland*, nor put any ſuch Conſtruction upon the Covenant or Treaties, in relation to the Kingdom of *Scotland*. And how far this is not only from the Intent, but from the very Words of the Covenant, we ſhall preſently make more fully appear.

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We by the Covenant, in the first Article which concerns Religion, *are to endeavour in our several Places and Callings.*

In the Second, which concerns the Extirpation of Popery, Prelacy, Superstition, Heresy, Schism and Prophaneness, *to endeavour in like manner.*

In the Third, which concerns the Rights and Privileges of Parliaments, the Liberties of the Kingdoms, and the preservation and defence of the King's Person and Authority in the preservation and defence of the true Religion and Liberties of the Kingdoms, *to endeavour in our several Vocations.*

The Fourth, which concerns Incendiaries, they are to be brought to publick Trial, and receive condign Punishment from the Supreme Judicatories of *both Kingdoms respectively.*

In the Fifth, concerning the continuing of the Peace and Union of the Kingdoms of *England* and *Scotland*, *We shall each one of us endeavour, according to our Places and Interest.*

In the Sixth and Last, concerning the assistance and defence of all those that enter into this Covenant, *To endeavour according to our Places and Callings*, to perform whatsoever we are obliged to by the Covenant.

It seems strange to us, That *England* and *Scotland* being several distinct Kingdoms, and by the Covenant each one being to act in his *several Place, Vocation, Calling and Interest*, that the Kingdom of *Scotland* should from this Covenant entitle themselves to the Right of exercising any *Joint Power* in the Kingdom of *England*; the expres words of the Covenant being directly contrary to the Exercise of any *Joint Power*, which was *several and distinct* before the making this Covenant; and the joint exercise of such Power would break the Covenant; because we are thereby obliged in our *several Vocations*, mutually to preserve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdoms; and the exercise of such a *Joint Power*, which doth give a *Negative Voice* to another Nation, in the proceedings in the Kingdoms of *England* and *Ireland*, would be a manifest breach of those Privileges and Liberties: And whereas throughout your whole Papers, this *Joint Interest* is so much enforced from the Covenant; neither that word *Jointly*, nor any other Expression which will bear that Interpretation, is so much as mentioned in the Covenant; and the words, *Each one in his several Vocation, Calling, Place and Interest*, which runs through the whole Covenant, and would have cleared the meaning of it, are *wholly left out* by you; and in all your Recitals of the Covenant, or Arguments drawn from thence, there are *no words to that effect.*

Your other Arguments drawn from the Treaty, That the *Scots* Army was brought into this Kingdom to pursue the Ends expres'd in the Covenant; whence you enforce, That whatsoever is to be done by that Treaty, must be by the Consent of the Kingdom of *Scotland*, (because according to the Ends of the Covenant) have been before fully answered, in our shewing how far such *Joint Consent* is both from the expres words, and meaning of the Covenant. And whereas you would enforce the meaning of the Covenant to be, That nothing can be done in pursuance thereof, but by *your Joint Consent*, because from the Third Article in the Treaty, your Army is to be directed by the joint Advice of both Kingdoms, or their Committees; and from the Eighth Article, That no Cessation or Peace be made by either Kingdom, without Consent of both; and from the Ninth Article, That all matters of difference between the Subjects of the Two Nations are to be determined by joint Consent of both Kingdoms, or their Committees: If *No Things* to be done in pursuance of the Covenant could be done without your joint Consent, the particular and expres provision, *That those Three Things* should be done by joint Consent, had been altogether needless.

Your Arguments from the Treaty, against the power of this Kingdom's acting in the things mentioned in your Papers, without the Consent of the Kingdom

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Kingdom of *Scotland*, are particularly anſwered in the places where you alledge them.

And your Lordſhips may well remember, That your firſt denying of the Power of the Kingdom of *England* to act without your *Joint Conſent, was not firſt ſet on foot concerning the diſpoſal of the Perſon of the King in* England: And therefore by reaſon of ſome Papers and Speeches of yours concerning the Propoſitions for Reformation of Religion, and the Militia of the Kingdoms of *England* and *Ireland*, and concerning ſome of your Nation having Offices and Places within this Kingdom; both Houſes of Parliament for the vindicating of the Right of the Kingdom of *England* from the Conſtruction then and now put upon the Covenant and Treaty, did upon the 29*th* of *June*, 1646. declare as followeth:

Die Lunæ 29. *Junii.* 1646.

'WHereas the Lords and Commons aſſembled in the Parliament of *England*, in the Name and on the behalf of the Kingdoms of *England* and *Ireland*, and the Commiſſioners of the Parliament of *Scotland*, in the Name and on the Behalf of the Kingdom of *Scotland*, have thought fit to ſend to the King, The humble Deſires and Propoſitions for a ſafe and well-grounded Peace, agreed upon by the Parliaments of both Kingdoms reſpectively; the Lords and Commons of the Parliament of *England* do declare, That it is not their Intention that any Conſtruction ſhould be made thereupon, as if either Kingdom had any Intereſt in the matter of each others Propoſitions, or in the Legiſlative Power of each other concerning any of the ſaid Propoſitions; but that it remaineth diſtinct in each Kingdom reſpectively: And that notwithſtanding any joint proceedings upon the ſaid Propoſitions, either Kingdom hath power of themſelves to continue, repeal, or alter any Law that ſhall be made upon the ſaid Propoſitions, for the good and Government of either Kingdom reſpectively. And it is hereby declared, That both Houſes are fully reſolved to maintain and preſerve inviolably the Solemn League and Covenant, and the Treaties between the Kingdoms of *England* and *Scotland*.

This Declaration being ſent to your Lordſhips, and we receiving no Anſwer, conceived you reſted ſatisfied therewith. And we deſire you further to remember, That whereas in the Year 1641. divers things concerning the Kingdom of *Scotland* were debated in *England*, your Lordſhips did then (for the ſaving the Rights of *Scotland*, that we might not claim any *Joint Right* in things concerning that Kingdom) declare, *That neither by your Treaty with the* Engliſh, *nor by ſeeking your Peace to be eſtabliſhed in Parliament, nor any other Action of yours, you do acknowledge any dependency upon them, or make them Judges to you or your Laws, or any thing that may import the* ſmalleſt Prejudice *to your Liberties; but that you came in a free and brotherly way, by your Informations, to remove all doubts that might ariſe concerning the Proceedings of your Parliament; and to join your Endeavours in what might conduce for the Peace and good of both Kingdoms, no otherwiſe than if by occaſion of the King's Reſidence in* Scotland, *Commiſſioners in the like Exigence ſhould be ſent thither from* England.

And as we did reſt ſatisfied with thoſe deſires of yours, and this preſent Parliament never did, nor yet do claim any Exerciſe of the Powers within the Kingdom of *Scotland*, which you deſire within this Kingdom, we cannot but in Juſtice expect the like Equity from that Kingdom.

VIII. That by your Arguments for a Right of joint diſpoſing of the Perſon of the King in *England* (which muſt relate as well to the Perſons that are to be about him, as the Place where he is to reſide), you ſeem to claim to have an equal number, or ſuch a number as you ſhall think fit, of the *Scots* Nation, to be of the King's Council, and of his Bed-chamber, and other Officers about his Perſon and his Succeſſors in the Kingdom of *England*, as a Right of the Kingdom of *Scotland*.

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IX. And concerning your *deſires* for the ſpeedy payment of 200000 *l.* mentioned in your Papers of the 24*th* of *October*, the Parliament of *England* is not engaged to pay you 200000 *l.* at one time, but only that the firſt 100000 *l.* thereof be paid unto you upon the marching of your Army and Forces out of this Kingdom, at ſuch time and place as ſhall be hereafter expreſſed.

That the ſecond 100000 *l.* ſhall be paid by 50000 *l.* and 50000 *l.*; the firſt 50000 *l.* at the end of Three Months after the payment of the 100000 *l.* and the ſecond 50000 *l.* at the end of Nine Months after the ſaid firſt payment; yet to manifeſt our willingneſs and readineſs to comply with our Brethren of *Scotland*, we have for above Six Weeks laſt paſt ſpent a great part of our time to borrow 200000 *l.* which if we cannot ſpeedily obtain, we aſſure our ſelves our Brethren of *Scotland* will reſt ſatisfied with ſo much of the 200000 *l.* as we are able to pay for the preſent. But we moſt earneſtly deſire, That whilſt ſome parts of your Papers preſs us for the Money, the Body of thoſe Papers, and your Speeches at Conferences may not obſtruct the Loan. The people lend their Money on belief, That there will be no Breach amongſt us; That the *Northern* Counties, ſo conſiderable a part of this Kingdom, may not be deſtroyed; That the Kingdom will be eaſed of the Burthen of your Army; That we might be the better enabled to ſend Relief to *Ireland*: Now if the People collect out of your Speeches and Papers, That you who are the Commiſſioners for the Kingdom of *Scotland*, have doubt of a Breach amongſt us, and of a ſecond War, you do your ſelves give occaſion of obſtructing the means of obtaining Money, for which you ſo much preſs.

And thus having premiſed theſe neceſſary Conſiderations, we come to the Particulars in your large Paper.

We do affirm, *That the Kingdom of* Scotland *hath no Right of Joint Exerciſe of Intereſt in diſpoſing of the Perſon of the King in the Kingdom of* England: *For England* clearly being a free Kingdom, no other Kingdom hath Right of Exerciſe of Intereſt in it, but by Contract: And by how much any Kingdom hath otherwiſe Right of Exerciſe of Intereſt in it, by ſo much it is not free. Your Lordſhips will grant, the diſpoſing of the Perſon of the King is an Exerciſe of Intereſt; and you did grant at the Conference (though it be now left out in your Papers), That the Kingdom of *Scotland* hath no Right of Exerciſe of Intereſt in *England*, but by the Covenant and Treaties; which Covenant and Treaties give *no Joint Power to the Kingdom of* Scotland, concerning the diſpoſing of the Perſon of the King within the Kingdom of *England*; but doth oblige both Nations to preſerve, and *not confound* the Rights and Liberties of each, as by the Third Article of the Covenant will plainly appear; and the laſt Treaty is for your coming into *England* to aſſiſt us, that we might enjoy our particular Rights and Liberties.

The Words of the Third Article of the Covenant are, *We ſhall with the ſame ſincerity, reality, and conſtancy, in our ſeveral Vocations, endeavour with our Eſtates and Lives mutually to preſerve the Rights and Privileges of the Parliaments, and the Liberties of the Kingdoms; and to preſerve and defend the King's Majeſty's Perſon and Authority, in the preſervation and defence of the true Religion, and Liberties of the Kingdoms: That the World may bear witneſs with our Conſciences of our Loyalty, and that we have no thoughts or intentions to diminiſh his Majeſty's juſt Power and Greatneſs.*

From whence it is moſt evident, That the Rights and Privileges of the Parliaments, and Liberties of the Kingdoms, are in the *firſt place* to be preſerved; and this every one is to do in his *ſeveral Vocation*, and not to intermeddle within each others Precincts, but when and ſo far forth as they are *Duly* called thereunto, nor with each others proper Rights and Intereſts, which we are bound to preſerve, and to preſerve *Diſtinct*, elſe we break our Covenant; and we are to preſerve the King in his Perſon and Authority *Relatively*, (viz.) *In the preſervation and defence of the true Religion and Liberties of*

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the Kingdoms: And we do not deſire to take away your Right of Intereſt in the Perſon of the King; but we ſay, You have no *Exerciſe* of that Right, *the King being in England:* And we are ſo far from Claiming any Right for the Kingdom of *England* in this caſe, which in the like we would not give to our Brethren of *Scotland*, as we do freely and willingly declare, That if the King were *Duly* in *Scotland*, we ſhould not claim any Joint Intereſt in diſpoſing of his perſon *There.*

And if your Arguments for ſtrict mutuality were to the queſtion, you might with much more reaſon have offered, That the King ſhould be Six Months with us without your Conſent, your Army having diſpoſed of him Six Months without our Conſent; and after that time then to have inferred a joint Conſent. Your Lordſhips will not think but that both Houſes of the Parliament of *England* may as well be truſted with the diſpoſing of the Perſon of the King in *England*, as the *Scots* Army.

Your Diſcourſe, That the Perſon of the King is not to be reſtrained from his voluntary coming to either Kingdom, when the neceſſary Affairs of the Kingdoms do require it; is not to the queſtion, and not applicable to the Condition in which the King now is, as is fully declared in the Fifth Conſideration.

Your Inſtance, That Two being aſſociated of Lands, Stock, or the like (for thoſe of Parent, Maſter and Servant, have no relation to the preſent Debate) one may not diſpoſe of them without the Conſent of both; and thence infer, Much leſs may we, being aſſociated, diſpoſe of the Perſon of the King without your joint Conſent; theſe are not to the Caſe in queſtion, but do trouble the right underſtanding of it; for we are aſſociated *in ſome common Ends* for the good of both; but not aſſociated in that which is our *ſeveral, diſtinct, and particular Rights*, which is the only matter before us: And the diſpoſing of the Perſon of the King in the Kingdom of *England*, according to the Caſe in queſtion, is the particular Right of the Two Houſes of Parliament. The Kingdom of *Scotland* hath no more Right of joint Exerciſe of Intereſt of diſpoſing the Perſon of the King in the Kingdom of *England*, than they have Right of joint Exerciſe of Intereſt in our Inheritance, Lands, Stocks, or the like, which your ſelves bring as Examples to this Caſe.

From our Declaration of the *5th* of *Auguſt*, 1645. ſent to the Lords States-General of the *United Provinces*, as recited by you, *(viz.) They were united by ſolemn Covenant made to Almighty God, and by League each to other, as one entire Body to proſecute this Cauſe*, you cannot infer your *Joint Right* of diſpoſing the Perſon of the King in *England*; for that Declaration was in anſwer to an Embaſſy from the Lords *States-General*, deſiring to be admitted as Mediators for a Year; which by the Eighth Article of the Treaty we were not to make, without the joint Conſent of the Kingdom of *Scotland*: And the words are not, *That we are made one entire Body in all our Rights and Liberties*; but, to prevent any ſuch Conſtruction as you put upon them, the words are, *As one entire Body to proſecute this Cauſe*: So as the being one entire Body, is, *As to proſecute the common Cauſe*; which they may well do in their ſeveral Vocations and Callings, without confounding the ſeveral Intereſts of the Kingdoms, and not to be one entire Body in our particular Rights and Liberties, which is the only thing in queſtion. And as to that you call a notable Inſtance in that Declaration, viz. *That by the Covenant both Houſes of Parliament, and many Thouſands of other his Majeſty's Subjects of* England *and* Ireland, *ſtand bound as well as we to hinder the ſetting up of the Church-Government by Biſhops in the Kingdom of* Scotland: *And that we as well as they ſtand bound to endeavour the Extirpation thereof in* England *and* Ireland: We deſire it may be obſerved, That that Expreſſion in the Declaration is according to the Tenor of the Covenant, which obligeth us to act in our *ſeveral Vocations*, without confounding the particular Intereſts of the Kingdoms; and no words in that Declaration infer any other ſenſe; and your Inferences from the Covenant are directly againſt the Covenant, as doth before appear.

The Eighth Article of the Treaty is, *That no Ceſſation, nor any Pacification or Agreement for Peace whatſoever, ſhall be made by either Kingdom, without the mutual Advice and Conſent of both Kingdoms, or their Committees in that behalf appointed;*

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pointed; who are to have full Power for the ſame, in caſe the Houſes of the Parliament of England, *or the Parliament or Convention of Eſtates in* Scotland *ſhall not ſit.*

Your Lordſhips Inference from this Article, That becauſe we cannot make Peace without your joint Conſent, we cannot therefore diſpoſe of the Perſon of the King in the Kingdom of *England*, without your Conſent, is thus clearly anſwered: The not making any Ceſſation, Pacification, or Agreement for Peace without you, and our diſpoſing the Perſon of the King without you, do conſiſt well together; and it cannot from hence be inferred, That therefore the place where the King ſhall reſide until this Peace were made, he being in *England*, ought not to be at the Appointment of the Parliament of *England*.

We know your Lordſhips can and will witneſs with us, That ſince our Covenant and Treaty we have not received any *Dignities or Offices* from the King, nor ſuffered any *Foreign Agents* to interpoſe in this Cauſe, or any Meſſengers to paſs between the King and *Queen*, or ſent any Committees to the King, without your Conſent, or done any thing with him that may admit colour of our making Peace without your joint Conſent: But if diſpoſing the Perſon of the King in *England* without joint Conſent, be a making of Peace, and a Breach of the Treaty, then it unanſwerably follows, That your Army hath made Peace with the King, and broken the Treaty, for they have diſpoſed of him without our Conſent, and ſince our Votes to the contrary.

If your Lordſhips had been pleaſed to have ſet down in your Paper the Ninth Article, you would never have drawn any Argument from thence for your joint Right in diſpoſing the Perſon of the King in *England*. The words are, *That the Publick Faith of the Kingdom of* Scotland *ſhall be given to their Brethren of* England, *That neither their Entrance into, nor their Continuance in the Kingdom of* England, *ſhall be made uſe of to any other Ends than are therein expreſſed in the Covenant, and in the Articles of this Treaty. And that all matters of difference that ſhall happen to ariſe between the Subjects of the Two Nations, ſhall be reſolved and determined by the mutual Advice and Conſent of both Kingdoms, or by ſuch Committees as for this purpoſe ſhall be by them appointed, with the ſame Power as in the precedent Article.*

Now from the very words of the Eighth and Ninth Articles, the differences to be reſolved and determined, are between the *Subjects* of the Two Nations: And in caſe the Two Houſes of the Parliament of *England*, or the Parliament, or Convention of Eſtates in *Scotland* do not ſit, are to be reſolved and determined by their Committees, who (as your Lordſhips conſtrue the Article) would have Power finally to reſolve and determine the Rights of both Kingdoms in the greateſt Caſes, and even without Inſtructions; the Caſes being ſo various, as the Parliament could not poſſibly foreſee all that might happen, to give Inſtructions in them: And therefore the Article, to avoid any ſuch Conſtruction, doth purpoſely provide, That the Reſolving and Determining of the Differences in this Article, are only to be the Differences between *Subject* and *Subject*. We ſhall not think that our Brethren united with us in Covenant and Treaty, coming into the Kingdom to our Aſſiſtance, will inſiſt to claim Right of Joint Intereſt to diſpoſe of the Perſon of the King, he being in this Kingdom, and alledge the Ninth Article of the Treaty for it, which from the beginning to the ending provides againſt it: Your Lordſhips may with as much reaſon argue, That when you have poſſeſſion of our Towns, or other Rights, if you do differ with us about them, you may, becauſe you differ, claim joint Intereſt in them, for that all differences are to be reſolved by the joint Advice and Conſent of both, and alledge the Ninth Article of the Treaty for it. And now we hope your Lordſhips will reſt ſatisfied, That we claim nothing againſt the Covenant, Treaty, or our Declaration of the *5th* of *Auguſt*, 1645. ſent to the Lords *States-General of the United Provinces*, but in purſuance of them.

And as to your Lordſhips Argument, That you may expect a Conjunction of Councils in diſpoſing the Perſon of the King, becauſe the Houſes did think fit, that in the managing of this War there ſhould be a Conjunction of the Councils of both Kingdoms, in reference to the *Engliſh*, as well as unto

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the *Scotiſh* Forces: Your Lordſhips well know, the Houſes joining your Lordſhips in their Councils in managing their *Engliſh* Forces, was the ſingle voluntary Act of the Two Houſes, and not the joint Act of both Kingdoms, and was determinable at the pleaſure of the Two Houſes, and practiſed accordingly; and whenſoever the Houſes pleaſed, they did diſpoſe their Councils and Forces without your Conſent; and therefore a joint Intereſt of both Kingdoms cannot be argued out of it. Do you think if you had claimed it as a joint Right of Intereſt of the Kingdom of *Scotland*, that we ſhould ever have joined you in our Councils, or governing our *Engliſh* Forces? It is moſt true, we did invite your coming to our Aſſiſtance, on Principles of common Intereſt; we did let you know, the one Kingdom cannot enjoy a firm Peace whilſt the other is in War; we did put you in mind of the Affection and Duty which becometh Brethren: We ſtill perſiſt on the ſame grounds, and we moſt earneſtly deſire you to hold the Principles of common Intereſt, *ſo underſtood*; and then we ſhall hear of no further Claim to the peculiar Right of the Kingdom of *England*, as certainly we ſhall make none to the peculiar Rights of the Kingdom of *Scotland*.

Your Lordſhips ſpeak of eſpouſing our Quarrels; and at the Conference, and in your Papers, ſo often mention your forſaking your own Peace for us: (Not to look back on former Times) we deſire you to remember, that the firſt part of this War was made againſt the Kingdom of *Scotland by the King*, and not by the Kingdom of *England*; that the Two Houſes of Parliament did aſſiſt to procure your Peace, and as an unparallel'd Teſtimony of their Brotherly Affection, did give you Three hundred thouſand Pounds.

And although it were not ſo often remembred by your Lordſhips in your Papers, yet we ſhould not forget the Love of our Brethren in coming to our Aſſiſtance, and ſhall return any meaſure of Conjunction of Intereſt, that we have had (not got) from you, but hazard our own Peace for yours, and requite every Kindneſs you have done, or deſired to do for us: And this your deſire, That the ſame meaſure of Conjunction of Intereſt be given to you, which was got from you, may ſatisfy you, that the meaſure of Conjunction of Intereſt is upon common Principles, and not in the Exerciſe of each others particular Rights; for we have neither had nor do deſire any particular Right in the Kingdom of *Scotland*; and therefore you by your own Argument ought not to deſire any particular Right in the Kingdom of *England*. And do therefore obteſt, By the common good of both Kingdoms; by the Love of Brethren; by the Treaty between the Kingdoms; by the ſolemn League and Covenant; by the Law of Nations; by Benefits formerly received and acknowledged; and by that univerſal Law of a Chriſtian Life, (*viz.*) To do as you would be done unto; (which we deſire you ſeriouſly to weigh); By all theſe, and by whatever elſe may be obliging, we deſire you not to claim to diſpoſe of our particular and peculiar Rights; not to render us ſuſpected with the People towards the Perſon of the King; not to do that which may ſtrengthen the hands of any Malignant Faction amongſt us; not to publiſh ſuch things as may ſow the ſeeds of a Diſunion, which will be equally deſtructive to both Kingdoms; not to think it our duty alone to keep the Covenant; and not to forget the Honour, Freedom, and Safety of *both the Kingdoms*.

Your Lordſhips ſay, You acknowledge you are to preſume the beſt concerning our Intentions, but are not therefore to part with any Intereſt or Security, becauſe we are honeſt and faithful: We conceive it unreaſonable you ſhould, and we never deſired it; but if you be not to part with any of your Rights, are your Brethren of *England* to part with any of theirs? ſhould you claim that from them, which your ſelves ſay they ought not to claim from you? If you are to preſume the beſt, what ground have you to ſuſpect the worſt, and make Suppoſitions that we will abuſe our Rights? Indeed, my Lords, your Expreſſions in your Paper, That your Army by their Oath of Allegiance, your Committee of Eſtates by their Commiſſion, your Officers by their Military Oath, ought to defend the King from *Harms*

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An. 1664. *and Prejudices*; your often repeating at the Conference, That the King came to your Army for *Shelter and Defence*, and therefore you are to preserve him; may endure such an an Interpretation, as if you desired the people should believe that the King needs Shelter, Defence, and Preservation from the Kingdom of *Scotland*, and the *Scots* Army, against the Two Houses of the Parliament of *England*; and that the Parliament of *England* is more to be suspected, and less confided in, than the *Scots* Army. But if this be far from your thoughts, as we hope your Lordships will say it is, let it be also from your Expressions, from which such Inferences may be drawn. To that you say, the entring into the Covenant was to wipe off the Calumny and Aspersion of Rebellion, it hath no relation to the question in debate: Neither do we find any ground how or why the Parliaments of either Kingdom could have been taxed with Rebellion, though they had never joined in this Covenant; or if any such Aspersions could have been deservedly cast upon them, how the Covenant could have wiped them off.

We have already answered what you here repeat, for the King's voluntary Residence in either Kingdom; and have already told you (with the Reasons why) that it is not to the Question: Neither is the King in a condition for the Exercise of the Duty of his Place: But if he were, your Lordships may rest assured, the Two Kingdoms will never differ about his residing in the Kingdom of *Scotland*, for his doing the Duties of his Place there.

Your Lordships proceed, That it could not be expected from the Army under the Command of Sir *Thomas Fairfax*, (if they were in *Scotland* for your Assistance in like Case, as your Army is for ours) to deliver up the Person of the King, neither can it be expected from your Army.

This Argument might have been urged to us, if we had ever made any Allegation to that effect: But we shall say even (your Lordships own word) the Army under Sir *Thomas Fairfax*, in the like case, on the like Resolution of the Parliament of *Scotland*, ought to deliver the Person of the King in *Scotland*, to be disposed by the Parliament of *Scotland*. And now your Lordships receiving Satisfaction in this your main Argument, we shall not doubt but you will acknowledge our Right, as we do yours, and proceed accordingly.

In your next Argument you return (with an heavy Tax upon us) to the Law and common Practice of all Nations, not to deliver the meanest Subject fled to them, though for the greatest Crimes; and amplify it by our refusing the Act of Remanding, in the Fourth of King *James*: And if the meanest be not to be delivered, how will the World abroad condemn your Army for so *Base and Dishonourable an Act*, to deliver up the King, having cast himself into your hands, to be disposed at our Arbitrement. For (of us) your words of another Nation must be taken, we claiming the Right of disposing of him in *England*.

This rightly understood, will give Satisfaction to all the World in the Justness of our Desires; and we shall put the Substance of the Argument in such words, as in rightly placing the Strength of it, none may be deluded.

It is thus: Every Kingdom challengeth the disposal of the Persons within their own Kingdom, though they be the Subjects of another Kingdom: And on this ground it is clear, That the Kingdom of *Scotland* hath not the disposal of the meanest of their own Subjects, in whom they have the sole Right, that Subject being in the Kingdom of *England*; much less the disposal of the Person of the King, who is in *England*, in whom you allow the Kingdom of *England* to have a joint Right.

[*See Page* 361.] Your

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Your Army in *England* (we follow your Argument on the Law of Nations) cannot be conſidered in any other condition than our own Army; And will any Nation ſay, if the King were in our Army, that it were the leaſt baſeneſs or diſhonour: (But their duty) for them to deliver up the Perſon of the King to be diſpoſed by both Houſes of Parliament. The King is not in the Kingdom of *Scotland*, and your Army is in the Kingdom of *England*; Is it not by your own Argument diſhonourable (to ſay no more) for us not to diſpoſe of the King in *England*? And we are confident your Lordſhips will reſt ſatisfied, that there was no need of that expreſſion, that the two Houſes of Parliament ſhould claim or require that, which was *Baſe or Diſhonourable* for you to do. To what you ſay that the King *caſt* himſelf upon your Army, and uſe the like phraſes in ſo many places of your Papers; we ſhall only ſay, we had rather enjoy our own Rights, than debate upon what *Grounds* the King came to your Army, or if he had none, why he ſhould think himſelf *more ſure* in that Army, than in that of Sir *Thomas Fairfax*, or in that Engliſh Army that joyned with yours in the ſervice before *Newark*: Or why Monſieur *Montreul* a *French* Agent, to whoſe Lodging the King firſt came, was ſo many weeks at *Southwell*, the head Quarter of your Army before *Newark*, notwithſtanding exceptions were taken by the *Engliſh* Committee, againſt his the ſaid Agent's being there.

And now we come to thoſe you call Objections, which being of your Lordſhips penning, and alſo the Anſwers to them, may be the more eaſily ſuited to your deſires. But the matter in debate being, that the Kingdom of *Scotland* hath no right of Joynt exerciſe of Intereſt in diſpoſing the Perſon of the King in the Kingdom of *England*. We ſhall place this our Aſſertion before your ſeveral Arguments or Objections againſt it, and then give Anſwers to them.

ASSERTION.

We do affirm that the Kingdom of Scotland *hath no right of Joynt exerciſe of Intereſt in diſpoſing the Perſon of the King, in the Kingdom of* England.

1. Objection or Argument of the *Scots* Commiſſioners.

THAT it is ſufficiently known, That the Scottiſh *Army came not into this Kingdom in the Nature of Auxiliaries, for when it was deſired by the Parliament of* England, *that the Kingdom of* Scotland, *ſhould ſend an Auxiliary Army into this Kingdom, to be ſubject to the Directions and Reſolutions of both Houſes, it was abſolutely refuſed, as may appear by the ſeveral Papers about that purpoſe yet extant; The Kingdom of* Scotland *did foreſee, and conſider how prejudicial it was to forſake their own Peace, and what infinite troubles, loſſes, and unavoidable danger, their engagement with the Parliament of* England, *againſt ſo powerful and prevailing an Enemy would bring upon the Kingdom of* Scotland, *and as they regarded not the large Offers, nor the Threats of the other ſide for all their Proſperity, ſo there was no offer of Pay, or other worldly Advantage whatſoever from the Houſes of Parliament, which could have induced them to undertake ſo hazardous and deſperate a War. It was the good of Religion, King, and Kingdoms they ſet before their eyes; in order to which end they accounted nothing too dear unto them, and having reſolved to ingage in this Cauſe, for aſſiſtance of their Brethren therein, they did not ſtand upon Conditions, but without reſpect to the ſeaſon of the year, the great ſtrength of the Enemy, and other diſcouragements, they did in a ſhort time levey an Army at their own charge, and becauſe of the many Burthens then lying upon this Kingdom, were content for the preſent, to accept of a ſumm towards the monthly entertainment of that Army; amounting to little more than half Pay, and to ſupercede all demands for further recompence, till the Wars ſhall be at an end. And ſeeing the Kingdom of* Scotland *was to quit their own Peace, and equally with* England, *to undergo the hazard of the War, it was found reaſonable, that the Proſecution thereof and the making of the Conditions of Peace after the War, ſhould be with joint advice and conſent of both Kingdoms, and according to theſe grounds, a Covenant was agreed upon for the Reformation of Religion, and for Preſervation of the Liberties of the Kingdoms, and of the Kings Perſon and Authority, together with a Treaty,*

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wherein it is declared that the Scottiſh *Army ſhall be commanded by a General appointed by the Eſtates of* Scotland, *and ſhall be ſubject to ſuch Reſolutions and Directions as are and ſhall be mutually agreed upon, and concluded between the Kingdoms, or their Committees in that behalf appointed for purſuance of the ends of the Covenant, of which one is to defend and preſerve his Majeſties Perſon.*

Anſwer to the firſt Objection of the Scots *Commiſſioners.*

WERE the things in this Objection ſo as they are ſet down, yet it would not follow that therefore the *Scottiſh* Army ought not to deliver up the King to be diſpoſed by both Houſes, without the joynt advice and conſent of the Kingdom of *Scotland*. And here we might leave all that is contained in this Objection; but for that many things in it, when rightly recited (now at leaſt exceedingly miſtaken) are proofs for our Aſſertion; and becauſe from the matter of fact, miſ-recited, there are many reflections upon us of ingratitude. We ſhall make a true ſtate of this buſineſs from the truth of the matter of fact.

By the fourth Article of the Treaty, *the charge of Levying, Arming, and bringing your Forces together, furniſhed with a Train of Artillery, was to be Computed according to the Rates, as if the Kingdom of* Scotland *were to raiſe them for themſelves, and for the preſent to be done by the Kingdom of* Scotland *upon account to be repayed, or ſatisfied, when the Peace of the two Kingdoms is ſetled*, yet who ſhall read the words in your Paper (*viz.*) that you did in a ſhort time levy an Army at *your own Charge*, would little have expected, that that which you call your *own charge*, was to be *repayed*.

The fifth Article *that this Army be payed as if the Kingdom of* Scotland *were to employ the ſame on their own occaſions, and towards the defraying thereof, it not amounting to a full months pay (theſe are the words) not as now in your Paper,* LITTLE MORE THAN HALF A MONTHS PAY, *Be monthly paid thirty thouſand Pounds Sterling by the Parliament of* England, *and if the State of* Scotland *ſhall have juſt cauſe to demand further ſatisfaction, when the Peace of both Kingdoms is ſetled* (for what?) *for the pains, hazard, and charges they have undergone in the ſame, they ſhall by way of Brotherly aſſiſtance have due recompence made unto them by the Parliament of* England.

And when we finally agreed upon a ſum in groſs, the reſidue of the whole months Pay proportioned according to your own Rates, was given in, and claimed by your eſtimate, and together with all other demands for raiſing and maintaining your Forces, and for your pains, hazard, and charges ſatisfied by us, in the groſs ſum of four hundred thouſand Pounds agreed to be paid unto you in lieu of all demands whatſoever. Can we now in reaſon conceive, that ſuch an Army in the Kingdom of *England* ſo to be raiſed, and paid wholly by the Kingdom of *England*, ſhould claim any right to detain the Perſon of the King in their hands, from his being diſpoſed in *England* by the two Houſes of Parliament, if we had foreſeen as much as your Lordſhips ſay you did, there would have been no ſuch debate as now is.

It is moſt true, that by our Declaration of the 8. day of *November* 1642. and 27 of *June* 1643. when we invited your coming in, and when on the 19 day of *July* 1643. Our Committees went to Treat with you, to come to our aſſiſtance (whoſe arrival at *Edinburgh* was the 7. of *Auguſt*,) Our Enemies were powerful and prevailing. It is alſo as true that all might have been loſt, had not the good providence of Almighty God, mercifully and ſeaſonably interpoſed in our greateſt ſtraights, and mightily changed the State of our affairs between the time of our invitation of you, and your coming in; between which time ninety three Colours of Horſe of the Earl of *Newcaſtle* his Army, were utterly defeated in *Lincoln-ſhire*, his old Army broken before *Hull*, the King's Army (where himſelf was in Perſon) waſted at the Siege of *Glouceſter*, That Siege raiſed, the City relieved, and that Army broken at the Battel of *Newbury*, with ſome other happy ſucceſſes at *Alton*, *Arundal*, and other places; all which was to the great weakning of the Enemy and ſtrengthning of our Party.

And whereas you will ſeem to intimate that for the good of Religion, King, and Kingdom, you did voluntarily forſake your own Peace, though you had conſidered how prejudicial it would be, and what infinite loſs, trouble and danger, your ingagement with the Parliament of *England* would bring to the

Parliament

22 *Caroli.*

Parliament of *Scotland*; yet we desire you again seriously to consider whether *Scotland* could have continued in Peace, if the King had here prevailed against us; had not you more hazarded your Peace by sitting still, and letting a powerful and prevailing Enemy invade *Scotland*? Hath not last Year's Experience shewed you, what a Party he might have found there? Had it not been a greater Charge to defend your selves upon your own account, than by assisting this Kingdom to prevent your own ruin at our Charge? We cannot believe you can think you were out of Danger, though it was then your lot to be the furthest from it of the two Kingdoms.

We did never imagine, that the Treaty (no way dis-advantageous to you) should be lookt upon as it seems it is, by these Words, *We stood not upon Conditions*; as if we ought to give you much *better Conditions*: Certainly if we, without any other relation, look only into the nature of the Conditions, Auxiliaries might be had (and are daily had in other parts and of your Nation) on the same or lower conditions. We should most gladly have omitted these things, but that they are mis-recited in your Paper, and so often prest upon us: And we hope we shall both take notice of mutual Obligements to make our Brotherly Union more firm.

We shall before the World at all times manifest, that we shall go along with them that set the highest value on your Assistance, but we desire your Lordships would not, by insisting upon your own Deserts upon mistaken grounds, lay Reflections of Ingratitude upon us, of which you know we are not Guilty. We have before so fully answered your Arguments from the Covenant and Treaty, and shewed that they directly make good our Resolutions, as we shall say nothing in this place to them; but observe, that in this Argument you mention the Defence of the King twice from the Covenant, yet in both places leave out the Words, *in the Preservation and Defence of the true Religion and Liberties of the Kingdoms.*

ASSERTION.

We do affirm that the Kingdom of Scotland *hath no right of joint exercise of Interest in disposing the Person of the King, in the Kingdom of* England.

2. Objection or Argument of the Scots Commissioners.

THat although his Majesty riding one days journey, might wholly subvert the grounds of this Objection; Yet we shall not insist upon this Answer, because we conceive it toucheth not the true state of the Question. It hath been already cleared what is not, and what is the state of the Question, which being remembred, we do assert, That the King coming voluntarily to the Scots *Army, they cannot in duty deliver him against his will to the Houses of Parliament, without Consent of the Kingdom of* Scotland; *for the being in* England *takes not away the relation between the King and his Subjects of the Kingdom of* Scotland, *nor ought it to impede the performance of the mutual Duties founded upon that Relation, for Allegiance hath no limitation of place, being grounded upon the Law of Nature as well as the Law Municipal, and so is rather universal than local; the difference of Place takes not away the Relation and mutual Duties between Parents and Children, and it is not the Place, but the Relation which gives Interest to the disposing the Person of the King. As his being in* England *takes not away the Relation between him and his Subjects of* Scotland, *so it doth not infringe the mutual Obligations and solemn Engagements between the Kingdoms for joint Counsel in prosecution of the War, and setling of Peace: The King's coming to the* Scottish *Army being an emergency of our joint War, and the right disposal of his Person, the only means (for the present) of our joint Security and Peace; neither can the King's being in* England *prejudge any Right or Priviledge of either Kingdom. It is the fundamental Right and Priviledge of the Parliament of* Scotland, *and the Liberty of that Kingdom, (as we acknowledge it to be the Right and Priviledge of the Kingdom of* England) *that the Person of their King ought not to be disposed of, but with their Advice and Consent. The place of the King's Residence (as was answered to us, when in the large Treaty it was desired his Majesty might sometime reside in* Scotland) *is at his own Election in either of the Kingdoms, as exigence of Affairs shall require, and*

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wherein it is declared that the Scottiſh *Army ſhall be commanded by a General appointed by the Eſtates of* Scotland, *and ſhall be ſubject to ſuch Reſolutions and Directions as are and ſhall be mutually agreed upon, and concluded between the Kingdoms, or their Committees in that behalf appointed for purſuance of the ends of the Covenant, of which one is to defend and preſerve his Majeſties Perſon.*

Anſwer to the firſt Objection of the Scots *Commiſſioners.*

WERE the things in this Objection ſo as they are ſet down, yet it would not follow that therefore the *Scottiſh* Army ought not to deliver up the King to be diſpoſed by both Houſes, without the joynt advice and conſent of the Kingdom of *Scotland*. And here we might leave all that is contained in this Objection; but for that many things in it, when rightly recited (now at leaſt exceedingly miſtaken) are proofs for our Aſſertion; and becauſe from the matter of fact, miſ-recited, there are many reflections upon us of ingratitude. We ſhall make a true ſtate of this buſineſs from the truth of the matter of fact.

By the fourth Article of the Treaty, *the charge of Levying, Arming, and bringing your Forces together, furniſhed with a Train of Artillery, was to be Computed according to the Rates, as if the Kingdom of* Scotland *were to raiſe them for themſelves, and for the preſent to be done by the Kingdom of* Scotland *upon account to be repayed, or ſatisfied, when the Peace of the two Kingdoms is ſetled*, yet who ſhall read the words in your Paper (*viz.*) that you did in a ſhort time levy an Army at *your own Charge*, would little have expected, that that which you call your *own charge*, was to be *repayed*.

The fifth Article *that this Army be payed as if the Kingdom of* Scotland *were to employ the ſame on their own occaſions, and towards the defraying thereof, it not amounting to a full months pay (theſe are the words) not as now in your Paper, LITTLE MORE THAN HALF A MONTHS PAY, Be monthly paid thirty thouſand Pounds Sterling by the Parliament of* England, *and if the State of* Scotland *ſhall have juſt cauſe to demand further ſatisfaction, when the Peace of both Kingdoms is ſetled* (for what?) *for the pains, hazard, and charges they have undergone in the ſame, they ſhall by way of Brotherly aſſiſtance have due recompence made unto them by the Parliament of* England.

And when we finally agreed upon a ſum in groſs, the reſidue of the whole months Pay proportioned according to your own Rates, was given in, and claimed by your eſtimate, and together with all other demands for raiſing and maintaining your Forces, and for your pains, hazard, and charges ſatisfied by us, in the groſs ſum of four hundred thouſand Pounds agreed to be paid unto you in lieu of all demands whatſoever. Can we now in reaſon conceive, that ſuch an Army in the Kingdom of *England* ſo to be raiſed, and paid wholly by the Kingdom of *England*, ſhould claim any right to detain the Perſon of the King in their hands, from his being diſpoſed in *England* by the two Houſes of Parliament, if we had foreſeen as much as your Lordſhips ſay you did, there would have been no ſuch debate as now is.

It is moſt true, that by our Declaration of the 8. day of *November* 1642. and 27 of *June* 1643. when we invited your coming in, and when on the 19 day of *July* 1643. Our Committees went to Treat with you, to come to our aſſiſtance (whoſe arrival at *Edinburgh* was the 7. of *Auguſt*,) Our Enemies were powerful and prevailing. It is alſo as true that all might have been loſt, had not the good providence of Almighty God, mercifully and ſeaſonably interpoſed in our greateſt ſtraights, and mightily changed the State of our affairs between the time of our invitation of you, and your coming in; between which time ninety three Colours of Horſe of the Earl of *Newcaſtle* his Army, were utterly defeated in *Lincoln-ſhire*, his old Army broken before *Hull*, the King's Army (where himſelf was in Perſon) waſted at the Siege of *Glouceſter*, That Siege raiſed, the City relieved, and that Army broken at the Battel of *Newbury*, with ſome other happy ſucceſſes at *Alton*, *Arundal*, and other places; all which was to the great weakning of the Enemy and ſtrengthning of our Party.

And whereas you will ſeem to intimate that for the good of Religion, King, and Kingdom, you did voluntarily forſake your own Peace, though you had conſidered how prejudicial it would be, and what infinite loſs, trouble and danger, your ingagement with the Parliament of *England* would bring to the Parliament

22 *Caroli.*

Parliament of *Scotland*; yet we deſire you again ſeriouſly to conſider whether *Scotland* could have continued in Peace, if the King had here prevailed againſt us; had not you more hazarded your Peace by ſitting ſtill, and letting a powerful and prevailing Enemy invade *Scotland*? Hath not laſt Year's Experience ſhewed you, what a Party he might have found there? Had it not been a greater Charge to defend your ſelves upon your own account, than by aſſiſting this Kingdom to prevent your own ruin at our Charge? We cannot believe you can think you were out of Danger, though it was then your lot to be the furtheſt from it of the two Kingdoms.

We did never imagine, that the Treaty (no way diſ-advantageous to you) ſhould be lookt upon as it ſeems it is, by theſe Words, *We ſtood not upon Conditions*; as if we ought to give you much *better Conditions*: Certainly if we, without any other relation, look only into the nature of the Conditions, Auxiliaries might be had (and are daily had in other parts and of your Nation) on the ſame or lower conditions. We ſhould moſt gladly have omitted theſe things, but that they are miſ-recited in your Paper, and ſo often preſt upon us: And we hope we ſhall both take notice of mutual Obligements to make our Brotherly Union more firm.

We ſhall before the World at all times manifeſt, that we ſhall go along with them that ſet the higheſt value on your Aſſiſtance, but we deſire your Lordſhips would not, by inſiſting upon your own Deſerts upon miſtaken grounds, lay Reflections of Ingratitude upon us, of which you know we are not Guilty. We have before ſo fully anſwered your Arguments from the Covenant and Treaty, and ſhewed that they directly make good our Reſolutions, as we ſhall ſay nothing in this place to them; but obſerve, that in this Argument you mention the Defence of the King twice from the Covenant, yet in both places leave out the Words, *in the Preſervation and Defence of the true Religion and Liberties of the Kingdoms.*

ASSERTION.

We do affirm that the Kingdom of Scotland *hath no right of joint exerciſe of Intereſt in diſpoſing the Perſon of the King, in the Kingdom of* England.

2. Objection or Argument of the Scots Commiſſioners.

THat although his Majeſty riding one days journey, might wholly ſubvert the grounds of this Objection; Yet we ſhall not inſiſt upon this Anſwer, becauſe we conceive it toucheth not the true ſtate of the Queſtion. It hath been already cleared what is not, and what is the ſtate of the Queſtion, which being remembred, we do aſſert, That the King coming voluntarily to the Scots *Army, they cannot in duty deliver him againſt his will to the Houſes of Parliament, without Conſent of the Kingdom of* Scotland; *for the being in* England *takes not away the relation between the King and his Subjects of the Kingdom of* Scotland, *nor ought it to impede the performance of the mutual Duties founded upon that Relation, for Allegiance hath no limitation of place, being grounded upon the Law of Nature as well as the Law Municipal, and ſo is rather univerſal than local; the difference of Place takes not away the Relation and mutual Duties between Parents and Children, and it is not the Place, but the Relation which gives Intereſt to the diſpoſing the Perſon of the King. As his being in* England *takes not away the Relation between him and his Subjects of* Scotland, *ſo it doth not infringe the mutual Obligations and ſolemn Engagements between the Kingdoms for joint Counſel in proſecution of the War, and ſetling of Peace: The King's coming to the* Scottiſh *Army being an emergency of our joint War, and the right diſpoſal of his Perſon, the only means (for the preſent) of our joint Security and Peace; neither can the King's being in* England *prejudge any Right or Priviledge of either Kingdom. It is the fundamental Right and Priviledge of the Parliament of* Scotland, *and the Liberty of that Kingdom, (as we acknowledge it to be the Right and Priviledge of the Kingdom of* England) *that the Perſon of their King ought not to be diſpoſed of, but with their Advice and Conſent. The place of the King's Reſidence (as was anſwered to us, when in the large Treaty it was deſired his Majeſty might ſometime reſide in* Scotland) *is at his own Election in either of the Kingdoms, as exigence of Affairs ſhall require, and he*

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he ſhall think fit; or elſe muſt be determined by the mutual Advice and Conſent of both Kingdoms.

From all which grounds it is apparent, that the Kingdom where he reſides for the time, may do no Act which may hinder his Majeſty to perform the Office and Duty of a King to the Kingdom from which he is abſent in Perſon, nor impede him to repair to that Kingdom, when the Affairs thereof ſhall neceſſarily require it; otherwiſe if the Kingdom where his Majeſty reſides hath the ſole Intereſt and Right to diſpoſe of his Perſon, the Eſtate of the Parliament of Scotland *might upon former Occaſions, and may now, in caſe the King and Prince ſhall repair to* Scotland, *lawfully detain them there, and make it the place of the ordinary Reſidence of them, and their Poſterity, without the Conſent of the Kingdom of* England, *which we acknowledge could not be done, without a manifeſt Prejudice and Injury to this Kingdom. Wherefore we cannot but conclude, that whereſoever the King be, in* Scotland *or* England, *be being the King of both, ought to be diſpoſed of for the good, and with the conſent of both Kingdoms: And if it be conſidered, That the* Scottiſh *Army was invited and called into this Kingdom by both Houſes in a Treaty, for proſecuting the ends of a ſolemn League and Covenant, whereof one is to preſerve and defend his Majeſty's Perſon, there can remain no doubt concerning the Exerciſe of that Right and Intereſt in this Kingdom: And therefore it ſeems very ſtrange, that when upon invitation they are come into* England, *as for other ends, ſo to defend his Majeſty's Perſon, their being in* England *ſhould be made uſe of as an Argument why they ſhould deliver up the Perſon of their King, to be diſpoſed of as both Houſes ſhall think fit; whereas it is alledged that the Treaty extends no farther than to the ordering and regulating of the* Scottiſh *Forces in relation to the War; although this be really anſwered from the nature of the thing, the King's coming to the* Scots *Army being an emergency of the War, and ſo the delivering of his Perſon comes under the Regulation and Direction of both Kingdoms, or their Committees, as an act of the* Scottiſh *Army, yet that all doubt may be removed, we farther add, That it is clear from the third Article of the Treaty, that the* Scottiſh *Army is to receive the Directions of both Kingdoms, or of their Committees, in all things which may concern the purſuance of the ends of the Covenant and Treaty, whether in Relation to Peace or War. In the Eighth Article of the Treaty, no Ceſſation, Pacification or Agreement for Peace whatſoever is to be made by either Kingdom, or the Army of either Kingdom, without the advice and conſent of both Kingdoms.*

And in the ninth Article, all differences ariſing between the Subjects of the two Nations are to be reſolved and determined by the mutual advice and conſent of both Kingdoms.

Anſwer to the ſecond Objection or Argument.

HEREIN is repeated what you have ſaid before, ſome things are new, as that it begins with, (*viz.*) *although his Majeſty riding one day's Journey might wholy ſubvert the grounds of this Objection, yet,* &c. But we ſhall never ſuppoſe the King being in *England*, our Brethren of *Scotland* will take him out of this Kingdom, neither will ſuppoſe what differences between the two Kingdoms one day's Journey might make: It's one thing if the King had come *duly* unto you into *Scotland*, and clear another his coming to your Army in the Kingdom of *England*. You here repeat the King's voluntary coming to your Army, and we ſay we deſire not to debate on what *Grounds* he came; We never ſaid his being in *England* took away your relation to him, but that you have no right of diſpoſing of his Perſon in this Kingdom; and by a former Argument of your own from the Common Law and Practice of all Nations, his being in *England* gives us a Right, if we had it not otherwiſe. And we deſire your Lordſhips to conſider, that by your Argument of the relation between the King and his Subjects, when you alſo aſſert the right of mutual *performance and exerciſe* of them, as well without as within each Kingdom reſpectively, in *England* as *Scotland*, or in *Scotland* as *England*, you *confound the particular rights* of the two Kingdoms, which would be a *great violation of the Covenant*: And if you may argue for your joint conſent becauſe the King's coming to you was an Emergency of War, you may by the ſame Reaſon claim a joint Intereſt in the diſpoſing the Northern Counties, and ſay they fell into your hands as an *Emergency of War*.

If

22 *Caroli.*

If in your Allegation of the fundamental Right of the Kingdom of *Scotland* and the Liberty of that Kingdom, you mean in *Scotland*, we did never diſpute againſt it; but if you mean in *England*, then if we had taken the King before our Conjunction by the Covenant and Treaty, our diſpoſing of him without your Conſent had been againſt the fundamental rights of the Parliament of *Scotland*, which we are confident you will not ſay.

And your Lordſhips having agreed at the Conference, that the Kingdom of *Scotland* hath no right of exerciſe of Intereſt in the Kingdom of *England* but by the Covenant and Treaty, and the two Houſes of Parliament did not enter into that Conjunction with our Brethren of *Scotland*, to put the particular Rights of the Kingdom of *England* into a worſe, but into a better condition by that Conjunction, and the Covenant and Treaty do provide accordingly; and that we have not parted with this Right by the Covenant and Treaty, we have formerly ſhewed.

You cannot apply the large Treaty, concerning the King's voluntary reſidency, to this queſtion, whilſt the King is not in a condition of exerciſing the duties of his Place, or diſpoſing of his Perſon into any of his Kingdoms at his own Election, as in times of ſetled Peace; and if the King had been in *Scotland* in ſuch a caſe as ours is, we ſhould not have ſaid more to your detaining of him, than we deſire you ſhould now ſay to us. And whereas your Lordſhips ſay, *It ſeems ſtrange that you being come in upon invitation, as for other ends, ſo to defend his Majeſty's Perſon, your now being in* England, *ſhould be made uſe of for delivery of the King to be diſpoſed by us*, we underſtand not why the diſpoſing of the Perſon of the King in *England* by both Houſes of Parliament, and the defence of his Perſon according to the Covenant, may not well conſiſt together. We demand to diſpoſe of the King, becauſe the King is in *England*, and you of all other, who come to defend our Rights, ſhould not violate them; and it would be much more ſtrange, if any ſhould think that when we invited you, that by your aſſiſtance we might preſerve our Intereſts, that we ſhould invite you to diſpoſe of our Intereſts.

You Argue from the third Article, the words whereof are, *That the Army be commanded by a General appointed by the States of* Scotland, *and ſubject to ſuch Reſolutions and Directions, as are and ſhall be agreed and concluded on mutually between the two Kingdoms, or by Committees appointed by them in that behalf, for purſuance of the ends above mentioned*, which are the ends expreſſed in the Covenant; we ſhall ſpeak more of them in our Anſwer to your next Objection.

You apply, (but improperly) this third Article for your joint Right of diſpoſing with us the Perſon of the King in the Kingdom of *England*, and why? becauſe to defend and preſerve his Perſon is one of the ends in the Covenant; you may as well ſay you have right of joint diſpoſing all our Laws and Liberties; for to defend and preſerve them, is one (and a main one) of the ends in the Covenant.

Your Arguments from the ninth Article are before anſwered, and here you again alledge the Covenant; and here again, as in the former Objection or Argument, when you mention that you are to preſerve the Perſon of the King, you leave out the ſubſequent Words, In Preſervation and Defence of the true Religion, and Liberties of the Kingdom.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of joint exerciſe of Intereſt in diſpoſing the Perſon of the King in the Kingdom of* England.

3. Objection or Argument of the Scots Commiſſioners.

NO ſooner did the King come to the Scottiſh *Army, but the very ſame day, the Committee of Eſtates of* Scotland *reſiding with that Army, did acquaint the Commiſſioners of both Houſes therewith, and not ſatisfying themſelves with this, the day following they writ a Letter to the Committee of* Scotland *reſiding at* Edenborough, *and another to the Committee of both Kingdoms here, (which was communicated to both Houſes) deſiring the Advice of this Kingdom, as in a matter of common*

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mon Intereſt, and declaring they would obey the joynt Reſolutions of both Kingdoms, yet no anſwer or advice was returned unto them, either from the Houſes or their Commiſſioners, but immediately after the ſurrender of Newark, *they received information that five thouſand Horſe and Dragoons from Sir* Thomas Fairfax's *Army, were upon their march towards them Northward (which the Honourable Houſe of Peers was pleaſed to give order to ſtop) there being no Enemy in thoſe parts to be oppoſed, upon conſideration whereof, the Quarters wherein they had ſtayed during the Siege of* Newark, *being extreamly exhauſted, and the ſervice for which they came thither being performed, for preventing of miſtakes or new troubles between the Kingdoms, they removed into* Yorkſhire: *And the King as he came unto them of his own accord, did voluntarily march along with them, upon ſeveral occaſions afterwards they and we did earneſtly deſire the Honourable Houſes to ſend a Committee to joyn and cooperate with the Committee of Eſtates there upon the place, in all things according to the Treaty, but no anſwer was returned, and from time to time, the Houſes acquainted with the proceedings in that Army, which were according to the Covenant, and the known Reſolutions of both Kingdoms, to debar all ſuch of either or both Kingdoms as had been in Arms againſt the Parliament from coming into their Quarters, or to the Court, or to the King's Perſon, according to the deſire of the Houſe of Peers; And whereas it is affirmed, that by the Treaty, the* Scottiſh *Army ought to do nothing without a joynt reſolution of both Kingdoms, or their Committees, there is no ſuch Clauſe in the Treaty, but they are to be ſubject to ſuch reſolutions as are and ſhall be agreed upon, and concluded mutually between the Kingdoms, or their Committees, as by Ordinance of Parliament the Army under the Command of the Earl of* Eſſex, *or of Sir* Thomas Fairfax *was to receive and obſerve the directions of the Committee of both Kingdoms ſitting at* Weſtminſter; *but in caſe no new directions were ſent unto them, they were left to former Orders, if any were, or otherwiſe to their own judgment and diſcretion. There was never any ſuch reſolution agreed upon between the Kingdoms or their Committees, as that the* Scottiſh *Army ſhould not receive the King, if he came unto them: But 'tis an agreement between the Kingdoms (in the Covenant) that they ſhould preſerve and defend his Majeſties Perſon; And (in the Declarations of both Kingdoms) to reſcue him from the common Enemy: So that the* Scottiſh *Army having often deſired to know the direction and advice of the Houſes of Parliament concerning the King, and no new directions being ſignified unto them, according to the Treaty they were to obſerve the directions and reſolutions formerly agreed upon between the Kingdoms. And as the* Scots *Army do and will ever acknowledge, that they claim no power to diſpoſe of the King's Perſon, but are ſubject to, and ſhall be ready to follow whatſoever both Kingdoms ſhall agree upon as beſt for the ing and Kingdoms; ſo their keeping and preſerving his Majeſties Perſon (as they would do to any Perſon of his eminency and Relation, in an Army or Garriſon Town) without the leaſt thought of hindring his voluntary return to his Parliament, cannot be reputed or called a diſpoſing of his Perſon.*

The third Anſwer.

THE truth is thus; on *Tueſday* the fifth of *May* laſt, our Committees before *Newark* had notice the King was come to *Southwell*, the head Quarter of your Army there, before they heard any thing from your Committees of it, who ſent two of their Number to give our Commitees notice of the King's coming to *Southwell*; which two did promiſe to deliver to the reſt of their Number the deſires of our Committees, That the King might not remove from *Southwell*. And afterwards our Committees hearing the ſame day the King came to your Army, that your Army was preparing to march, told your Committees of it, and of their former deſire, That the King might remain at *Southwell*: your Committees denied there was any intention in your Army to march. And to the deſire of the King's not removing from *Southwell*, they ſaid, he was gone to *Kelham* before they heard from our Committees. Whereupon our Committees earneſtly preſſed them the King might return back to *Southwell*, and not to be at *Kelham*, where the body of your Army lay, to cajole, or diſturb your Souldiers; but could not obtain the conſent of your Committee thereunto. The next day our Committees hearing that your Army had diſpoſed of their Proviſions, and ſent in for many Carriages, did again complain to your Committees, who again alſo abſolutely denyed it, and ſaid nothing ſhould be done without our Com-

Committees having notice: Nevertheleſs, the next day being *Thurſday*, your Army marched away, and took the King with them; and when your Army were on their march, and not before, ſome of your Committees acquainted ours with it. Now it is moſt evident, that by the Treaty our Committees being equally to command and direct your Army as your own, and your Army obliged by the Treaty equally to obey them as a joynt Committee, if you have any right becauſe the King came to your Army, the King came to our Committees as to yours, and they had in that reſpect equal power to diſpoſe of him. But what was done is before expreſſed. 22 *Caroli.*

You ſay you did write to the Houſes, and your Paper intimates one reaſon of your going was, becauſe you heard not from the Houſes: You wrote on *Wedneſday*, and march'd away the next morning: Could you expect a return from the two Houſes in that time, the diſtance being 100 miles? You alledge your march was after the ſurrender of *Newark*, when as it was only after the Commiſſioners for the Treaty had agreed, but before the Agreement was ſigned by the Committees and Governour of *Newark*, and the Town was not ſurrendred till the next day, which was done on ſome emergency a day ſooner than was agreed on by that Treaty.

And ſhall we think that your Army ſhould march away on the rumor of 5000 Horſe and Dragoons of Sir *Thomas Fairfax* his Army marching Northward? But however, there was no ſuch thing, nor did any ſuch Order of the Houſe of Peers, as your Lordſhips mention, ever come to the Army of Sir *Thomas Fairfax*; neither did the General, Lieutenant-General, nor any other Officer that ever they heard of, know of any ſuch Order, till your Lordſhips mentioned it in your Paper of the 20*th* of *October* laſt. And if they had marched, they are under the Command of the Parliament, and have ſhewed themſelves faithful and ſerviceable, and God hath exceedingly bleſſed their ſervice to the good of both Kingdoms.

This being the true ſtate of that buſineſs, our Committee of both Houſes being upon the place at the Siege of *Newark*, and not ſo much as adviſed with by your Committees, what was fit to be done with the Perſon of the King (the diſpoſing of whoſe Perſon with your joynt conſent you now make a matter of ſo high concernment) but your Army contrary to engagement not to remove without the knowledge of our Committee, removing and taking the King with them, without any notice given to our Committee before their march, though nothing but a River parted the two Armies, with which our Committees did then reſide. Your Lordſhips will now think our Committees had reaſon to deſire to return; and there was little encouragement for any other Committee to go down to your Army, eſpecially conſidering that you took *Carlile* from the *Engliſh* Forces there, againſt the conſent of the Committee then upon the place. And that when your Army was at *Bramham-Moor*, a little before the King took *Leiceſter*, (the King then being very ſtrong, and our affairs in a hazardous condition,) they were earneſtly preſſed by our Committee, then a joynt Committee with them, according to the Treaty to march Southwards; but contrary to their deſires, and againſt their conſent, your Army marched away Northward.

It's true, that you ſent out Orders to debar all ſuch of both or either Kingdoms as had been in Arms againſt the Parliament, from coming into your Quarters, or to the Court, or to the Perſon of the King: And 'tis as true, that they did come notwithſtanding that Order, and yet no Man puniſh'd for breach of thoſe Orders, that ever we heard of.

Your Lordſhips ſay, there is no ſuch clauſe in the Treaty, as that the *Scotch* Army ſhould do nothing without a joynt Reſolution of both Kingdom, or their Committees; and thence infer, you having no joynt Reſolution to the contrary, you might march away. But it is moſt evident from your Argument (for your example, the Army under the Earl of *Eſſex* or Sir *Thomas Fairfax* is not at all applicable to your inference) that 'tis wholly in your power whether the Kingdom of *England* ſhall ever joyn in directing of your Army or not. You had no Committee for fifteen weeks before *Newark*, and all that time our Committee could not order your Army for want of yours to joyn with them; when yours did come, they having a negative voice, did not agree to our Committees deſires for the King's ſtay at *Southwell*, or acquaint them with your Armies going away, but denied it to them.

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them. So as that main thing in the Treaty, to join in ordering your Army, is both by your Practice and Aſſertion in your Paper rendred uſeleſs.

And in this Argument alſo is the Covenant recited for the defence of the Perſon of the King, and the words, *In the preſervation of Religion, and the Liberties of the Kingdoms* (a main clauſe, without which the other part ought never to be mentioned) are left out. Certainly, my Lords, we ſhould never have argued thus from the Covenant and Treaty. And here you ſay again as formerly, Your Army claims no right to diſpoſe of the King: But we ſay that *de facto* they do diſpoſe of him, and muſt by your Argument ever do ſo, unleſs we agree to the joint conſent of the Kingdom of *Scotland* for diſpoſing of the King in *England*; and that from ſuch grounds as, if admitted, would intereſt the Kingdom of *Scotland* in the Government of the Kingdoms of *England* and *Ireland*, elſe you will not conſent; and unleſs you conſent, you ſay your Army ought not to part with him: So as he is to be diſpoſed by you in *England* without our Conſent, but not by us in this Kingdom without your Conſent; which ſure cannot be found in the Covenant.

In the next place is that which you call a fourth Objection: We ſhall place our Aſſertion, and recite what you call your Anſwer in your own Words.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of joint exerciſe of intereſt in diſpoſing the Perſon of the King in the Kingdom of* England.

The fourth Objection or Argument of the Scots Commiſſioners.

THere is a wide and manifeſt difference betwixt the relation the Scottiſh *Army hath to any Subject of* England, *and the relation they have to their King; which are ſufficiently diſtinguiſhed in the third and fourth Articles of the Covenant: For by the one they are mutually obliged to preſerve and defend his Majeſty's Perſon; and by the other they are obliged to indeavour that all Incendiaries and Dividers between the King and his People, or betwixt the Kingdoms, be brought to Tryal and condign Puniſhment before the ſupream Judicatures of the Kingdoms reſpectively: And the Kingdom of* Scotland *hath equal Right and Intereſt with the Kingdom of* England *in the diſpoſal of the Perſon of the King, which they cannot pretend unto concerning the Perſon of any Subject of* England.

The fourth Anſwer.

THis contradicts what you have formerly ſaid, That one coming to another Nation ought not to be remanded, though for the greateſt crime.

And let your Lordſhips conſider, that your Army in *England* is not the Kingdom of *Scotland*. And here alſo you recite the Covenant, as to the defence of his Majeſty's Perſon, but omit the ſubſequent words, *in the preſervation of the true Religion, and Liberties of the Kingdoms*. And as all Perſons in both Kingdoms who have taken the Covenant, have bound themſelves before Almighty God, to defend the King's Perſon in the defence of the true Religion, and Liberties of the Kingdoms; ſo are they to do it only in their *ſeveral Vocations*, without intrenching upon *each others Rights and Privileges*: For which reaſon alſo Incendiaries were reſerved to the tryal of the ſupream Judicatories of the Kingdoms *Reſpectively*, that their ſeveral juriſdictions might not be *prejudged or confounded*.

That which you call your fifth Anſwer, we ſhall alſo ſet down.

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22 *Caroli.*

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of joint exerciſe of intereſt, in diſpoſing of the Perſon of the King in the Kingdom of* England.

The fifth Objection or Argument of the Scots Commiſſioners.

IT hath been ſufficiently anſwered before, that the Scottiſh *Army neither hath, nor will take upon them to diſpoſe of the King. He came unto them without Capitulation or Treaty, his Reſidence with them is voluntary and free, and they do nothing which may hinder him to come to his Houſes of Parliament; but if the Kingdom of* Scotland *ſhould conſent to the deſire of the Houſes, that they may have the ſole diſpoſal of the Perſon of the King, it being that which comes in the place of the Peace and Security of both Kingdoms, they would really quit the right and intereſt they have, by the Eighth Article of the Treaty concerning the making of a Peace. For which ſoever of the Kingdoms is acknowledged to have the ſole diſpoſal of the King, may, without the other, make Peace with him, when, how, and in what terms they pleaſe.*

The fifth Anſwer.

IT's moſt true, it hath often been ſet down in your Papers, That your Army neither doth nor will take upon them to diſpoſe of the King: Yet we know that *de facto* they do diſpoſe of him. You ſay, He came without Capitulation or Treaty: We again deſire you will not put us upon that debate. You alledge that his reſidence is voluntary and free, yet you ſent us word that you had ſet a ſtrong guard upon him; and you cannot ſay, that the Covenant, Treaty, or fundamental Right of the *Scottiſh* Nation are, that he ſhould be in voluntary freedom with *Us*, but in reſtraint with *You*.

You argue, That the ſole diſpoſal of the King comes in place of Peace; which is not ſo, unleſs you will grant that you have now made Peace: for you have the ſole diſpoſal. But all this is before more at large.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of joint exerciſe of intereſt in diſpoſing the Perſon of the King in the Kingdom of* England.

The ſixth Objection or Argument of the Scots Commiſſioners.

WE will not diſpute what Power the Houſes of Parliament formerly had to diſpoſe of the Perſon of their King; but whatſoever Power or right they have, the like is due to the Parliament of Scotland; *and ſo the Perſon of the King being common to both, and indiviſible, cannot be diſpoſed of but by conſent of both Kingdoms. It were another queſtion indeed, if it were as in former times, if we had different Kings, if there were not an Union of the Kingdoms under one Head and Monarch, if there were neither Covenant nor Treaty between the Kingdoms: But ſince all theſe are, and that the Peace and Security of both Kingdoms is ſo much concerned in the diſpoſal of the King, not any one of them without the other can juſtly pretend to the ſole Judgment and Right to determine what is beſt and moſt expedient for the Safety and Security of both; nor can it in reaſon be made an Argument that the one Kingdom diſtruſts the other, becauſe the one will not renounce and reſign all Right and Intereſt they have in the Perſon of the King, and matter of their own Security and Peace to the Judgment and Determination of the other: Otherwiſe, according to this Argument, where there is any truſt, there ſhould be no contract between Perſon and Perſon, nor Treaty between Nations: Or if there be any Treaty or Agreement, the performance or not performance of it is to be left to arbitrement. But we cannot ſee that this doth argue any Diffidence or Diſtruſt, more than when private Perſons lending Money to the Publick, deſire Security, and*

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will not depend upon pleaſure: And therefore though it is not to be queſtioned but the Houſes of Parliament would diſpoſe of the Perſon of the King, ſo as might conſiſt with their duty in performing the Covenant and Treaty; yet this can be no Argument why the Scottiſh *Army ſhould neglect their duty, or the Kingdom of* Scotland *quit the intereſt and right they have in the Perſon of the King.*

The ſixth Anſwer.

WE have never alledged that the Parliament of *Scotland* hath not the like exerciſe of intereſt in *Scotland* as we deſire to have in *England*, and yet this is often objected againſt us. But we do aver the right of exerciſe of intereſt is diſtinct to each Nation: And from your own Argument, if we do not deny this right to *Scotland*, why ſhould you deny it to *England*? The Union of the Kingdoms under one Head doth no more confound the exerciſe of particular rights, than if under ſeveral Heads. We never deſired you to renounce any right of the Kingdom of *Scotland*; let us have the ſame meaſure.

By your Argument it muſt follow, That by *England*'s having the King of *Scotland*, the Kingdom of *Scotland* ſhould be King of *England*: For although the Perſon of the King be not diviſible, yet his relations are diviſible both in their nature and their exerciſe: the King of *England* and the King of *Scotland* are one Man, but they are not one thing. And though thoſe relations are not diviſible from his Perſon, yet is the exerciſe of them diviſible from his Perſon, as his Perſon is diviſible from either or both of the Kingdoms, and as the Kingdoms are diviſible from each other in place and in power, in right and in intereſt, within their ſeveral Precincts: And the exact preſervation of this diſtinction is the beſt means to prevent a worſe diviſion.

And if, as you ſay, your deſiring not to part with your right doth not argue any diffidence in us, now that it is ſhewed you of no right, why will you be diffident of us, to hinder the exerciſe of our particular rights?

That which you call your laſt Objection was an Anſwer to your Reply.

ASSERTION.

We do affirm, That the Kingdom of Scotland *hath no right of joynt exerciſe of intereſt in diſpoſing the Perſon of the King in the Kingdom of* England.

The ſeventh Objection or Argument of the *Scots* Commiſſioners.

IF this Argument were turned over, the ſtrength or weakneſs of it may the more eaſily appear. Suppoſe the King were here at Weſtminſter, *it may be upon the ſame grounds urged, That the Kingdom of* Scotland *would have no conſent in his diſpoſal; and ſo much the more, that the Houſes claim the ſole intereſt and judgment to diſpoſe upon the King's Perſon, which we deſire may be done joyntly, as may be beſt for the ſecurity and ſafety of both Kingdoms. And we ſee no reaſon why it may not now be determined when he is in the* Scottiſh *Army, (who were intruſted by both, and ſubject to the reſolution of both Kingdoms) as well as hereafter, ſince he came thither of his own accord, and his reſidence there is voluntary; and if his Majeſty ſhall think fit to repair hither to his Houſes of Parliament, they ſhall do no Act which may either hinder or diſſwade him; but cannot conſtrain him, or deliver him to the Houſes, to be diſpoſed of as they ſhall think fit.*

The ſeventh Anſwer.

YOU object, your Army cannot part with the King without the conſent of the Kingdom of *Scotland*; The Kingdom of *Scotland* cannot conſent, unleſs they may joyn in the diſpoſal of his Perſon; they will not joyn till it be agreed that he be diſpoſed for the good of both Kingdoms: And can any thing then be more plain, than that the King is then to remain where he is (as we have ſaid before) until you will be ſatisfied. And being where he is, we know, and ſo do you, that he is diſpoſed of againſt

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22 *Caroli.*

our Conſent. And if this Argument were turn'd over, it would remain good: For we do ſay, the Kingdom of *Scotland* had not right of joynt intereſt in diſpoſing of the Perſon of the King if he were at *Weſtminſter*; neither ſhould we claim any, if he were duly at *Edenburrough*. And if this be a good Argument, it will follow, That you ſhould have ſome of your Nation to reſide continually with us, to adviſe and conſent to what Places the King ſhall go upon every occaſion of his remove, and upon every accident that may happen; conſidering the temper and condition of theſe times may call for ſudden and different reſolutions, and ſuch as they are only capable to judge of, and to apply remedies unto who are upon the place.

We doubt not your Lordſhips are ſatisfied that the coming of the King to your Army was with a deſign on his part againſt the good of both Kingdoms; which, with his denying the Propoſitions being among you, are not Arguments that he ought to be left to his own will and pleaſure.

Upon the whole tract in your Papers we ſhall from brotherly affection let you know, (to prevent the like for the future) That your Papers ſeem to be prepared, printed, and publiſhed to captivate the hearers and readers, to trouble their fancies, and hinder the right underſtanding of the Queſtion; that they may be led by an implicite belief; and ſeem to hold forth, That you will ſo manage your affair, as that if any difference ſhould happen (which God forbid, and we ſhall always endeavour to prevent, though it ariſe elſewhere) it may be laid on the Houſes of Parliament: Your Papers throughout intervolving things of ſeveral natures, miſ-reciting ſo many matters of fact, holding forth examples and ſimilies, which if urged by us, were unreaſonable; as if they were applicable to the preſent debate, which yet they are not, that many readers and hearers, though they know not how to apply them to the Queſtion between us, yet may think they are to it, becauſe the *Scotch* Commiſſioners would not elſe have inſerted them.

Having thus cleared the right of the Parliament of *England*, in diſpoſing the Perſon of the King in the Kingdom of *England*, We come now to the Propoſitions. But before we fall into the particulars of them, we ſhall give a ſhort Anſwer to your Letter of the 24. of *October* laſt. You expreſs therein, That the *Scots* Army having had no pay for ſix months, have been forced to take free quarter: which we wonder to ſee, when your Army taketh 19700 *l.* monthly in mony, beſides much free quarter. And we ſent your Lordſhips an account of this, which we received out of the North; beſides which they have had for one year ending the laſt of *October* laſt, ſeventy two thouſand nine hundred ſeventy two pounds two ſhillings and elevenpence for the Cuſtom and other impoſitions upon Coals only.

Your Letter ſeems very compaſſionately to conſider the miſery of the Northern parts; but the ways you propoſe of remedy extend the benefit of your compaſſion eſpecially to the *Scots* Army; the which Armies removing into freſh Quarters in *England*, were to make them feel as much miſery as thoſe it would leave. We ſhall provide what mony we can to enable the *Scots* Army to march into *Scotland*: but you know we are not engaged to you for two hundred thouſand pounds in preſent, as your Letter implies. But this is before more at large.

But whilſt you would not have the King to go into *Scotland* (for you ſay that is prejudicial to both Kingdoms) neither would you have him go into *Ireland*, or beyond Sea, (becauſe you ſay that would not be a way to preſent Peace, but certainly prognoſticate new trouble:) and whilſt you will not let the Parliament diſpoſe of his Perſon in *England* according to their right; and the Parliament cannot admit of a *Joynt Right* in you of diſpoſing his Perſon here (for that were to admit a *Joynt Right* in you in all the *Liberties of this Kingdom*,) how ſhall any be ſatisfied that this Queſtion concerning the diſpoſing of the Perſon of the King, ſhall not retard the marching of the *Scots* Army out of this Kingdom? Will they not inquire what will the *Scots* do with the Perſon of the King, when their Army marcheth out of the Kingdom? To which we hope it will be anſwered, Our Brethren of *Scotland* are ſatisfied the Parliament of *England* will, according to their right, diſpoſe of the Perſon of the King in the Kingdom of *England*: And your Lordſhips may reſt aſſured the Perſon of the King will be diſpoſed by the Parliament of *England*, as may beſt conduce to the good, union, and happineſs of the two Kingdoms.

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The Propoſition you make for the King to come to us with Honour, Freedom and Safety; or that Commiſſioners may once again be ſent in the name of both Kingdoms, with Power to hear his Deſires, and to endeavour the Satisfaction of Doubts and Scruples, is the ſame in ſubſtance made by himſelf, in his Anſwer to the Propoſitions ſent him by both Kingdoms; but that you alſo propoſe that ſome may be ſent to the King, and he deſires to come hither; and your Lordſhips will not think they are more reaſonable when made by you for the King, than when made by the King for himſelf.

And whereas your Lordſhips find a difference in the times when both Kingdoms ſent to the King, in Anſwer to his Letters of the 26. and 29. of *December* laſt, deſiring to come hither, for that he had then both Garriſons and field Forces unreduced, we deſire your Lordſhips to remember, That although thoſe Paſſages of his having Garriſons and Forces be in the Letter, yet the main matter inſiſted upon was in theſe words, *We conceive, that until Satisfaction and Security be firſt given to both your Kingdoms, your Majeſty's coming hither cannot be convenient, nor by us aſſented unto.* And which doth further appear in another Letter ſent from the Parliament and your Lordſhips in *March* laſt, in Anſwer to a Letter of the King's of the 23. of the ſame *March*, wherein the ſame Words of *Satisfaction and Security* are again expreſly repeated; And there hath not been any act done by the King ſince that time, that hath in the leaſt given Satisfaction or Security to *This* Kingdom: But however, your Lordſhips well know, that the King, at the ſending of the ſaid laſt Letter, had no Forces in the Field, nor Garriſons unblockt up; and he hath as many Forces now, when you make theſe deſires for him, as he had when to your unſpeakable Grief, (as you ſay in your Papers) he, in his denial to grant the Propoſitions ſent him from both Kingdoms, made then the ſame Deſires for himſelf.

Your Lordſhips recite our Anſwer to his Majeſty's Meſſage of the 11. of *September*, 1642. to which we ſhall need ſay no more; there is a large difference between what is to be done to prevent a War, which the Common Enemy did begin by keeping the King from us, and what is to be done after ſuch a War to ſecure a Peace.

To ſecure which, and to preſerve brotherly Union between the two Kingdoms, which we moſt earneſtly and from our hearts deſire, we ſhould uſe all means conducing thereunto, and endeavour to prevent all ways of Separation, and if we be in any, to haſten out of them, the true end of our Covenant and this War being, that neither of us may be under any Oppreſſions. Let us both act for the common good of both, and each enjoy our particular Rights, ſuch Union is ſtrong and will be laſting; but where one gaineth upon the particular Rights of the other, and then argueth that he muſt keep it, and the other bear it; To avoid Diſ-union, ſuch Arguments are not to be often uſed, and ſuch attempts are to be forborn, leſt they make a breach in Brotherly Union, which God forbid.

But we are confident the Right of the Kingdom of *England* will be acknowledged, and we poſſeſſed of it, and we ſhall make it appear how little cauſe there is for thoſe groundleſs inſinuations in your Speeches and Papers, as if the Parliament of *England* were averſe from their Ancient and Fundamental Government, by *King, Lords* and *Commons*, which we had thought the Declaration of the Houſe of Commons, of the 17. of *April*, 1646. ſufficiently cleared to the whole World; or that they were not as really forward as any, for the procuring of a ſafe and well grounded Peace, which is the greateſt and chiefeſt of our Deſires; And it will be manifeſt to the Judgments and Conſciences of all, That as we really endeavoured the good of the King and both Kingdoms, ſo ſhall we conſtantly and faithfully perſevere in thoſe endeavours, not doubting, but upon our ſincere performing our Covenant and Treaties, the bleſſing of God will ſo accompany us, as there will be a moſt ſweet and brotherly Agreement between the Nations, and ſuch a Concluſion as will be pleaſing to God, and wherein both Kingdoms ſhall find greateſt Comfort and Happineſs.

28. *Nov.*

22 *Caroli.*

28. *November* 1646.

ORdered by the Commons Aſſembled in Parliament, That the Anſwer to the Scots *Papers be forthwith Printed and Publiſhed.*
H. Elſynge, Cler. Parl. D. Com.

The two Houſes, for the ſpeedy raiſing the two hundred thouſand Pounds for the *Scots* Army, haſtned their Ordinances; firſt for aboliſhing Epiſcopacy; and next, for Sale of all Biſhops Lands; which ran as followeth.

Die Veneris, 9. *Octob.* 1646.

An Ordinance of Parliament, for the aboliſhing of Archbiſhops, and Biſhops, within the Kingdom of England, *and Dominion of* Wales, *and for ſetling of their Lands, and Poſſeſſions, upon Truſtees for the uſe of the Commonwealth.*

FOR the aboliſhing, of Archbiſhops, and Biſhops and providing for the payment of the juſt and neceſſary debts of the Kingdom, into which the ſame hath been drawn by a War, mainly promoted by and in favour of the ſaid Archbiſhops, and Biſhops, and other their Adherents, and Dependents. Be it Ordained, and it is Ordained by the Lords and Commons in Parliament aſſembled, and by the authority of the ſame; That the Name, Title, Stile and Dignity of Archbiſhop of *Canterbury*, Archbiſhop of *York*, Biſhop of *Winchester*, Biſhop of *Dureſme*, and of all other Biſhops of any Biſhopricks within the Kingdom of *England*, and Dominion of *Wales*, be from and after the fifth day of *September*, in the year of our Lord God 1646. wholly aboliſhed and taken away, and are hereby aboliſhed and taken away, And all and every perſon and perſons are and be thenceforth diſabled to hold the place, function or ſtile of Archbiſhop or Biſhop of any Church, See, or Dioceſs now eſtabliſhed or erected, or hereafter to be eſtabliſhed or erected within the Kingdom of *England*, Dominion of *Wales* or Town of *Barwick*, or to uſe or put in ure any Archiepiſcopal or Epiſcopal Juriſdiction, or authority, by force of any Letters Patents from the Crown, made or to be made, or by any other authority whatſoever, any Law, Statute, Uſage or Cuſtom to the contrary notwithſtanding. And be it further Ordained, and it is hereby Ordained, That all Counties Palatine, Honors, Mannors, Lordſhips, Stiles, Circuits, Precincts, Caſtles, Granges, Meſſuages, Mills, Lands, Tenements, Meadows, Paſtures, Parſonage, appropriate Titles, Oblations, Obventions, Pentions, Portions of Tithes, Parſonages, Vicarages, Churches, Chappels, Advowſons, Donatives, Nominations, Rights of Patronage and Preſentation, Parks, Woods, Rents, Reverſions, Services, Annuities, Franchiſes, Liberties, Priviledges, Immunities, Rights of Action and of Entry, Intereſts, Titles of Entry, Conditions, Commons Court Leet, and Courts Baron; and all other Poſſeſſions and Hereditaments whatſoever, with all and every of their appurtenances of what nature or quality ſoever they be, which now are, or at any time within ten years before the beginning of this preſent Parliament, were belonging to the ſaid Archbiſhops or Biſhops, Archbiſhopricks, or Biſhopricks, or any of them, which they or any of them had held and enjoyed in the Right of their Archbiſhopricks, or Biſhopricks dignities, Offices or Places reſpectively; Together with all Charters, Deeds, Books, Accounts, Rolls, and other Writings and Evidences whatſoever, concerning the Premiſes or any of them; which do belong to any the ſaid Archbiſhops, or Biſhops, Archbiſhopricks, and Biſhopricks, are veſted and ſetled, adjudged and deemed to be and are hereby in the real and actual poſſeſſion, and ſeizing of *Thomas Adams* Alderman, now Lord Mayor of the City of *London*, Sir *John Wollaſton* Knight, Sir *George Clarke* Knight, *John Langham* Alderman, *John Fowke* Alderman, *James Bunce* Alderman, *William Gibbs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Chriſtopher Packe*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glide*, *William Hobſon*, *Francis Aſh*, *John Babington*, *Laurence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Eſtwick*, *Robert Mead*, and *James Story*; their Heirs and Aſſigns; And that they the ſaid, *Thomas Adams*, now Lord Mayor of the City of *London*, Sir *John Wollaſton* Knight, Sir *George Clarke* Knight, *John Langham* Alderman, *John Fowke* Alderman, *James Bunce* Alderman,

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derman, *William Gibbs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Chriſtopher Pack*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glyde*, *William Hobſon*, *Francis Aſh*, *John Babington*, *Laurence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Eſtwick*, *Robert Mead*, and *James Story* and the Surviver and Survivers of them and their Heirs and Aſſigns, ſhall hold all ſuch the premiſes as are now held of the King, of the King his Heirs and Succeſſors, as of His Mannor of Eaſt *Greenwich* in Fee and Common ſoccage by fealty, and the Annual Rents thereof reſpectively due, and payable within ten years laſt paſt, before the beginning of this preſent Parliament, and not in capite, nor by other Tenures or Services; and ſhall hold all and every the premiſes, which the ſaid Archbiſhops, and Biſhops held of any other, than of the King, by the Rents, and other Services therefore due, and of right accuſtomed; And the ſaid Truſtees, their Heirs, Aſſigns, Farmers, and Tenants, ſhall alſo have, hold, and enjoy the premiſes, and every of them, freed, acquitted and diſcharged of, and from the payment of Tithes, as fully as the ſaid Archbiſhops, and Biſhops did hold and enjoy, or ought to hold and enjoy the ſame, at any time, during the ſpace of ten Years aforementioned, or any time ſince. And it is further by the ſame authority ordained, That the ſaid Truſtees ſhall have power, and are authorized to make, nominate and appoint from time to time, fit and able Perſons, ſuch as they ſhall think fit, to ſurvey the premiſes in any County or Counties of *England* and *Wales*, and to hold Court of ſurveys, and to demand, receive, and in ſafe cuſtody to put all the ſaid Charters, Deeds, Books, Accounts, Rolls, Writings, and Evidences, that they may be put in ſuch place in the City of *London*, as the ſaid Perſons before named or the major part of them ſhall order and appoint; And the ſaid Truſtees or any three or more of them as aforeſaid, are hereby authorized and required to adminiſter an Oath unto all and every the Surveyors, who ſhall take the ſame before he ſhall execute the ſaid place, in theſe words, *viz.*

I A. B. *do ſwear, that I will faithfully and truly, according to my beſt skill and knowledge execute the place of a Surveyor, according to the purport of an Ordinance, entituled,* an Ordinance of Parliament for the aboliſhing of Archbiſhops and Biſhops within the Kingdom of *England* and Dominion of *Wales*, and for ſetling of their Lands and Poſſeſſions upon Truſtees, for the uſe of the Common-wealth. *I ſhall uſe my beſt endeavour and skill to recover the Eſtate therein mentioned, and every part thereof, which ſhall be given me in charge, and to find out the true values and improvements thereof, and thereof ſhall make true particulars, according to my beſt skill and cunning; and the ſame from time to time deliver in writing cloſe ſealed up, unto the ſaid Truſtees, or any two of them, according to the true intent and meaning of the ſaid Ordinance; and this I ſhall juſtly and faithfully execute, without any gift or reward, directly or indirectly, from any perſon or perſons whatſoever.*

Nevertheleſs it is declared and ordained, that the ſaid Perſons before named, their Heirs and Aſſigns ſhall have and hold the premiſes and every of them ſubject to ſuch Truſts and Confidence as both Houſes of Parliament ſhall appoint, and declare and diſpoſe of the ſame, and the Rents and Profits thereof as the ſaid Houſes ſhall order and appoint; wherein the Lords and Commons do declare, that due reſpect ſhall be had towards ſuch Perſons and their Aſſigns as are interreſſed in the premiſes by virtue of any demiſe heretofore made, provided that the ſaid Truſtees their Heirs or Aſſigns ſhall not avoid any Leaſes made for any Term or Eſtate, not exceeding three lives, or one and twenty years in Poſſeſſion, or in ſuch manner as that together with the Leaſe in being ſhall not exceed three lives or one and twenty years, ſo as the old and accuſtomed Rent and Rents or ſo much Rent and Rents, as the ancient and accuſtomed Rent amounteth unto, be reſerved payable during the ſaid voidable Term and Terms or Eſtates, and ſo as the ſaid Leaſes have not been procured or purchaſed of any Biſhop, ſince the firſt day of *December*, *Anno Domini*, 1641. And be it further Ordained by the authority aforeſaid, that if any Archbiſhop or Biſhop have at any time ſince the firſt day of *December*, *Anno Domini*, 1641. made any grant or Leaſe to any Perſon or Perſons, Body politick or Corporate of any the Houſes, Mannors, Lordſhips, Meſſuages, Lands, Tenements, and Hereditaments, or any other the premiſes aforeſaid, or any of them in right of their Archbiſhopricks or Biſhopricks, the ſame Grant or Leaſe ſhall be utterly void

and

22 *Caroli.*

and of none effect; and the Perſon or Perſons, Body politick or corporate, unto whom the ſame was made ſhall have no benefit thereby; provided, and be it ordained, and it is hereby ordained, that if any Perſon or Perſons, Body politick or Corporate, at any time or times ſince the firſt day of *December*, in the year of our Lord God, 1641. who had any Grant or Leaſe for one or more life or lives, or any number of years of the premiſes or any part thereof as is aforeſaid and ſurrendred the ſame; To the end that he or they might have a new Grant or Leaſe granted or made unto him or them, which by this preſent Ordinance is made void, and the ſame was accordingly granted or made unto him or them; That the ſaid Perſon or Perſons, Body politick or corporate, who hath ſo ſurrendred any ſuch former Grant or Leaſe, his and their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns, ſhall have, hold, poſſeſs and enjoy ſuch time and term as he or they had in any part of the ſaid premiſes by virtue of any ſuch former Grant or Leaſe, in ſuch ſort and manner as he or they ſhould have had, held, and enjoyed the ſame, if no ſuch ſurrender had been made, ſubject nevertheleſs to ſuch payments of Rent and other Services, and ſuch Covenants, Conditions and Agreements as in the ſaid former Leaſes were expreſſed and contained, ſaving unto all and every Perſon and Perſons, their Heirs, Executors and Adminiſtrators, Bodies politick and corporate, and their Succeſſors, other than the King, his Heirs, and Succeſſors, all Achbiſhops, Biſhops, and other than the Founders and Donors as Founders and Donors of and to the ſaid Archbiſhopricks and Biſhopricks, and their Heirs, all ſuch Right and Title, Intereſt, Poſſeſſion, Rights in Law, or Equity, Entries, Annuities, Commodities, Fees, and other profits which they or any of them before the ſaid firſt day of *December*, 1641. ought lawfully to have had in, or to the premiſes, or any part or parcel thereof, as if this Ordinance had never been had or made; alſo ſaving to all ſuch Perſon or Perſons as have adhered to the Parliament, all ſuch Eſtate as he or they ſince the firſt day of *May*, *An. Dom.* 1641. have forfeited or made forfeitable for non-payment of Rent, or not performing of Services to any Biſhop or Biſhops, except it be in the Caſe of a Leaſe made utterly void by this Ordinance; by reaſon the ſame hath been procured or purchaſed of any Biſhop ſince the aforeſaid firſt day of *December*, *Anno Domine*, 1641. and likewiſe ſaving to *Philip* Earl of *Pembrook* and *Montgomery*, and his Heirs, all ſuch right as he and they have to the Meſſuage called *Dureſme Houſe*, and certain Stables, late of the Poſſeſſion of *Thomas* Biſhop of *Dureſme*, ſcituate in the Pariſh of St. *Martins* in the Fields, in the County of *Middleſex*, lately granted by Act of this preſent Parliament; this preſent Ordinance or any thing therein contained in any wiſe notwithſtanding. Provided alſo, and it is hereby further Ordained by the authority aforeſaid, that all and ſingular Revenues, Rents, Iſſues, Fees, Profits, Sums of Mony, and allowances whatſoever as have heretofore been, and now ought to be paid, diſpoſed, and allowed unto and for the maintenance of any Grammar-School, or Scholars, or for or toward the Reparation of any Church, Chappel, High-way, Cauſeway, Bridges, School-houſe, Almſhouſe, or any other Charitable or Pious uſe, or for maintaining of any Lecture, or Preachers payable out of any the Premiſes, or which are chargeable, or ought to iſſue out of, or to be paid for, or in reſpect of the ſaid Premiſes, or any of them ſhall be and continue to be paid and allowed as they were, and have been heretofore, any thing in this preſent Ordinance to the contrary in any wiſe notwithſtanding. And it is further Ordained, that the Sheriff of every County and Place, who is to attend the reſpective Courts where any Felony is to be tried and determined, ſhall provide and preſent to the Judge or Judges of ſuch Courts, ſome able and fit Perſon to do ſuch things as by the Office of the Ordinary have been uſed to be done; which Perſon and Perſons ſhall have Authority, and are hereby enjoyned to perform that ſervice in ſuch manner as the reſpective Ordinaries heretofore have uſed to do. Provided alſo, that all Commiſſions upon the Statute of charitable uſes ſhall be valued, though the Biſhop be therein omitted, and the other Commiſſioners ſhall proceed therein as fully as they might have heretofore done, when the Biſhop was therein named; and that all Iſſues triable by the Ordinary or Biſhop, ſhall be tried by Jury in uſual courſe.

John Brown Cler. Parl.

Die

An. 1646.

Die Martis 13 *October* 1646.

THE Lords and Commons Aſſembled in Parliament intending to raiſe the ſum of two hundred thouſand pounds, for the preſent ſervice of the State, for the encouragement of ſuch as ſhall advance any ſum for and towards the ſame, and to the intent they may have notice thereof do declare, That every Perſon who hath advanced any Monies, Plate, or Horſes, with their Furniture and Arms, upon the Publick Faith, may for every ſum of Mony he ſhall further lend, for the advancement of the ſaid ſum, be ſecured a like ſum more out of the Receipt of the Grand Exciſe in Courſe, and the ſale of the Biſhops Lands, (except Advowſans and Impropriations) which ſhall firſt happen, together with the intereſt after the rate of eight *per centum, per annum*, to be paid every ſix months, out of the Receipts of the Exciſe, till Principal and Intereſt be fully diſcharged. As for example, If there be owing to any Perſon 100 *l.* Principal, which, with Intereſt due thereupon, for three years paſt, will make 124 *l.* he adventuring 124 *l.* more, may be ſecured for the whole 248 *l.* as aforeſaid, and ſo proportionably for a greater or leſſer ſum, and according to the Intereſt due thereupon; And for the more ſpeedy re-imburſing of the ſaid Mony ſecured and lent for the purpoſe aforeſaid, That the ſaid Lands of the Biſhops, (except before excepted) are Eſtated and made over to ſuch Feoffees for the ſpeedy ſale thereof, and ſuch Treaſurers for the Receipt of the Monies, as may give ſatisfaction to the Lenders. And the ſaid Lords and Commons do declare, That it ſhall and may be lawful for any Perſon or Perſons, to aſſign his Right and Intereſt in any ſum or ſums of Mony owing to him upon the Publick Faith, as aforeſaid, to any Perſon or Perſons that will advance the like ſum, in manner as is before expreſſed.

Joh. Brown Cler. Parliamentorum.

Die Lunæ, Novemb. 16. 1646.

An Ordinance of the Lords and Commons Aſſembled in Parliament, for appointing the ſale of the Biſhops Lands for the uſe of the Commonwealth.

WHereas by an Ordinance of the Lords and Commons made the ninth of *October* one thouſand ſix hundred forty ſix, the Name, Title, Stile, and Dignity of Archbiſhop of *Canterbury*, Archbiſhop of *York*, Biſhop of *Winchester*, Biſhop of *Dureſme*, and of all other Biſhops of any Biſhopricks within the Kingdom of *England* and Dominion of *Wales*, from the fifth of *September* one thouſand ſix hundred forty ſix is wholly aboliſhed and taken away, and all and every Perſon and Perſons are diſabled to hold the place, function or ſtile of Archbiſhop or Biſhop of any Church, See, or Dioceſs within the Kingdom of *England*, and Dominion of *Wales*, by any Authority whatſoever; And all Counties Palatine, Honours, Mannors, Lands, Tenements, and Hereditaments, and other the premiſes in the ſaid Ordinance mentioned, were and are veſted, and ſetled, adjudged and deemed to be in the real and actual Poſſeſſion and ſeizing of *Thomas Adams* Alderman, then Lord Mayor of the City of *London*, Sir *John Wollaſtone* Knight, Sir *George Clerke* Knight, *John Langham* Alderman, *John Fouke* Alderman, *James Bunce* Alderman, *William Gibs* Alderman, *Samuel Avery* Alderman, *Thomas Noell*, *Chriſtopher Packe*, *John Bellamy*, *Edward Hooker*, *Thomas Arnold*, *Richard Glyde*, *William Hobſon*, *Francis Aſh*, *John Babington*, *Laurence Bromfield*, *Alexander Jones*, *John Jones*, *Richard Venner*, *Stephen Eſtwicke*, *Robert Mead*, and *James Story*, their Heirs and Aſſigns, upon truſt and confidence that the ſaid Perſons before named, their Heirs and Aſſigns ſhould have and hold the premiſes, and every of them, ſubject to ſuch truſt and confidence as both Houſes of Parliament ſhould appoint, declare, and diſpoſe of the ſame, and the rents and profits thereof, as the ſaid Houſes ſhould order and appoint. And whereas the ſaid Lords and Commons the thirtieth of *October* one thouſand ſix hundred forty ſix, have declared they intending to raiſe the ſum of two hundred thouſand pounds for the preſent ſervice of the State, that for the encouragement of ſuch who ſhould advance any ſum for and towards the ſame, and to the intent they might have notice thereof, that every Perſon who hath advanced any Mony, Plate, or Horſes, with their Furniture and Arms, upon the Publick Faith, may for every ſum of Mony he ſhall further

22 *Caroli.*

ther lend for the advancement of the ſaid ſum, be ſecured a like ſum more out of the receipt of the grand Exciſe in courſe, and the ſale of the Biſhops Lands (except Advowſons and Impropriations) which ſhall firſt happen, together with all the Intereſt after the rate of eight pounds *per cent. per annum*, to be paid every ſix Months out of the receipts of the Exciſe, till Principal and Intereſt be fully diſcharged; as for example, if there be owing to any Perſon a hundred pounds Principal, which with the Intereſt due thereupon for three years paſt will make a hundred twenty four pounds, he adventuring a hundred twenty four pounds more, may be ſecured for the whole two hundred forty eight pounds, as aforeſaid, and ſo proportionably for a greater or leſſer ſum, and according to the Intereſt due thereupon: And for the more ſpeedy re-imburſing of the ſaid Mony ſecured and lent, for the purpoſe aforeſaid, that the ſaid Lands of the Biſhops (except before excepted) are Eſtated and made over to ſuch Feoffees for the ſpeedy ſale thereof, and ſuch Treaſurers for the receipt of the Monies, as may give ſatisfaction to the lenders. And have thereby further declared, that it ſhall and may be lawful for any Perſon or Perſons to aſſign his Right and Intereſt in any ſum or ſums of Mony owing to him upon the Publick Faith as aforeſaid, to any Perſon or Perſons that ſhall advance the like ſum in manner as is before expreſſed. And therefore for and towards the ſatisfying of the ſaid two hundred thouſand pounds to be raiſed, or ſo much thereof as ſhall be raiſed, and of ſuch Mony as according to the ſaid Declaration the ſaid lenders are to be repaid for Mony, Plate, Horſes with their Furniture and Arms, advanced upon the Publick Faith, with Intereſt for the ſame, after the rate aforeſaid, The ſaid Lords and Commons have declared and ordained, and do hereby declare and ordain, That the ſaid *Thomas Adams* and other the Perſons before named, and the Survivors and Survivor of them, and the Heirs of the Survivor of them ſhall ſtand and be ſeized of all and ſingular the ſaid premiſes ſo veſted and ſetled in them, their Heirs and Aſſigns (except Parſonages appropriate, Tithes, Tithes appropriate, Oblations, Obventions, Portions of Tithe, Parſonages, Vicarages, Churches, Chappels, Advowſons, Donatives, Nominations, Rights of Patronage and Preſentation) and ſhall take all the Rents, Revenues, Iſſues and Profits, which were due and payable after the firſt of *November*, one thouſand ſix hundred forty ſix, notwithſtanding any Sequeſtration of the ſame, and all other the Rents, Revenues, Iſſues and Profits, that ſhall at any time hereafter become due and payable for the ſaid premiſes or any part of them, until ſale ſhall be made of the ſame to the uſes, intents, and purpoſes herein and hereafter declared: And be it ordained that the ſaid Truſtees, or the major part of them ſhall have Power and Authority, and are hereby Authoriſed, to take into their Aſſiſtance ſuch Counſel Learned, and to appoint ſuch Stewards of Mannors, and all other Officers and Perſons, as they or the major part of them ſhould hold fit and neceſſary for the putting of this Ordinance in Execution, and to give ſuch Fees, and make ſuch allowance to the ſaid Counſel, Stewards of Mannors, Officers and Perſons as they ſhall hold fit and neceſſary. And to make Warrants to the Treaſurers for the payment of the ſame, who are hereby required to pay the ſame accordingly, until Sale ſhall be made of the premiſes, to the uſes, intents, and purpoſes herein and hereafter declared as aforeſaid; That is to ſay, that out of the Mony raiſed by the Sale of the ſaid Premiſes, or any part of them that ſhall be ſold, and out of the ſaid Rents, Revenues, Iſſues and Profits of the ſaid Premiſes or any part of them, there ſhall be paid and ſatisfied the ſeveral ſums of Mony with Intereſt at the rate aforeſaid, that by this preſent Ordinance are, or are intended to be paid and ſatisfied, together with all Charges to be paid or born, for or by reaſon of the Execution of the truſt in them repoſed; and after the full and due payment of the ſame, that they, their Heirs, Executors, and Adminiſtrators reſpectively ſhall ſtand ſeized and poſſeſſed of ſuch of the ſaid Counties Palatine, Honnors, Mannors, Lands and Premiſes remaining unſold. And of the Monies raiſed by Sale of the Premiſes or of any part of them remaining undiſpoſed, for the uſe and benefit of the Common-wealth, as ſhall be limited and appointed by both Houſes of Parliament: And be it alſo ordered and ordained by the Authority aforeſaid, that *John Blackwell* ſenior of *Moreclack* in the County of *Surrey* Eſquire, Sir *William Roberts* of *Wiſden*, in the County of *Middleſex* Knight, Alderman *Vyner*, Colonel *Richard Turner*,

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ner, *James Ruſſel*, *William Methold*, *Thomas Ayres* of *London* Eſquire, *William Prinne* of *Lincolnes-Inn* Eſquire, *Robert Fenwick* of *London* Eſquire, *Timothy Middleton* of *Standſteed* in the County of *Eſſex* Eſquire, *Edward Creſſet* of *London* Eſquire, ſhall have full Power and Authority, and hereby have full Power and Authority to Treat, Contract, and Agree with any Perſon or Perſons, for the Sale of the ſaid Premiſes, or any of them in ſuch manner as is hereafter limited. And that the ſaid *John Blackwell*, and other the ſaid Perſons laſt before named, ſhall receive of the Treaſurers herein named, two pence in the Pound for every ſum that ſhall be paid to the ſaid Treaſurers, upon all and every ſuch Contract and Contracts, for the Sale of the Premiſes or any part thereof, And that the ſaid Truſtees or any five of them ſhall have full Power, and are hereby required to convey the Premiſes or any part thereof, by Bargain and Sale inrolled according to the Statute, or otherwiſe by any good and ſufficient Conveyance and Aſſurance in the Law, to any Perſon or Perſons whatſoever, according to ſuch Contract or Contracts, as ſhall be made by the ſaid Contractors or any ſix or more of them; and entered and certified to the ſaid Truſtees as aforeſaid, by the Regiſter herein, or hereafter to be named by both Houſes of Parliament: And the Money that ſhall be raiſed by the Sale thereof, to be imployed according to the truſts and directions herein declared. And that all Bargains of Sale, Conveyances, and Aſſurances made of any Eſtate or Eſtates in Fee-ſimple, according to ſuch Contracts as ſhall be agreed upon, between the Purchaſors and the ſaid Contractors before named, ſhall be good and effectual in Law. And be it likewiſe ordained, that none of the ſaid Truſtees ſhall be Contractors, nor none of the Contractors, nor any of them, nor any other to their or either of their uſe, or uſes, or in truſt for them, or any of them, directly or indirectly, ſhall or do purchaſe the ſaid Lands or any part of them; and every purchaſor of any part of the premiſes, his Heirs and Aſſigns, ſhall have, hold, and enjoy the premiſes that ſhall be by him purchaſed, diſcharged of all truſts and accompts, whereunto the ſaid Truſtees are or may be liable by virtue of this preſent or the ſaid recited Ordinance. And if any Contractors or any in truſt for them, or any of them ſhall buy any Lands contrary to this Ordinance, he or they ſhall forfeit the Eſtate and Money paid ſo for it. And of all Suits and Queſtions that may ariſe or be moved upon pretence of Sale at under values, or upon pretence that the ſums by this Ordinance intended to be paid, were ſatisfied before ſuch Sale made, and all other claims and demands whatſoever, ſaving the Rents and Intereſts ſaved by the ſaid recited Ordinance, and of all incumbrances made by the ſaid Truſtees, or by any claiming under them, or any of them. And for the diſcharge of the Truſtees and Contractors, it is further declared and Ordained by the Authority aforeſaid; That all and every the ſaid Truſtees, and Contractors ſhall be, and are hereby diſcharged and ſaved harmleſs, for whatſoever they or any one or more of them ſhall do in purſuance of this Ordinance: And that if any action ſhall be brought againſt them or any of them, for any Act done by them or any of them, in Execution of this Ordinance or Inſtructions herein mentioned, then they are hereby inabled to plead the general iſſue, and to give this Ordinance in Evidence, and if a judgment paſs for them, they ſhall recover double coſts. And it is further Ordained and declared, that the ſaid Lordſhips, Mannors, Lands, Tenements, and Hereditaments, veſted in the ſaid Truſtees by the ſaid Ordinance of Parliament, intituled (*An Ordinance of Parliament for the aboliſhing of Archbiſhops, and Biſhops within the Kingdom of England and Dominion of Wales, and for the ſetling of their Lands and Poſſeſſions upon Truſtees, for the uſe of the Commonwealth*) ſhall not be liable unto, but ſtand and ſhall be free and diſcharged of and from all manner of Statutes, Judgments, Recognizances, Dowers, Joyntures, and other Acts and Incumbrances whatſoever had, made, done or ſuffered, or to be had, made, done, or ſuffered by, from, or under the ſaid Truſtees, other than ſuch conveyances and aſſurances as ſhall be by them had, made, done, or ſuffered in performance, or purſuance of the ſales and Contracts by them to be reſpectively made according to the intent of this preſent Ordinance, and ſaving unto all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs, Succeſſors, Executors, and Adminiſtrators, all ſuch Right, Title, and Intereſt as by the ſaid Ordinance intituled (*An Ordinance of Parliament for the aboliſhing of Archbiſhops, and Biſhops, within the Kingdom of England and*

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and Dominion of Wales, and for ſetling of their Lands and Poſſeſſions upon Truſtees for the uſe of the Common-wealth) is or are thereby ſaved. Provided, and it is further declared and ordained: That whereas the late Biſhop of *Durham*, and other his Predeceſſors Biſhops of *Durham* have hitherto exerciſed and enjoyed as Count *Palatines* ſundry great Franchiſes, Liberties, and Juriſdictions, commonly eſteemed and called *Jura Regalia*, that this Ordinance nor any thing therein contained, extend not, nor be conſtrued to extend, to give Power, or Authority to the Perſons herein named, or any of them to ſell, diſpoſe, or any way to contract for the ſaid *Jura Regalia* belonging unto the ſaid Biſhop or his Predeceſſors, as Count *Palatine*, or any of them, but that the ſame ſhall remain in the ſaid Truſtees, named in a late Ordinance intituled, *An Ordinance for the aboliſhing of Archbiſhops and Biſhops within the Kingdom of England and Dominion of Wales, and for ſetling their Lands and Poſſeſſions upon Truſtees for the uſe of the Common-wealth*, to be diſpoſed of as both Houſes of Parliament ſhall think fit and appoint, any thing in this preſent Ordinance to the contrary thereof contained in any wiſe notwithſtanding. Provided always, and it is further declared, and ordained, That whereas the late Biſhop of *Ely*, and other his Predeceſſors Biſhops of *Ely*, have hitherto exerciſed and enjoyed ſundry great Franchiſes, Liberties, and Juriſdictions, commonly called *Jura Regalia*, that this Ordinance nor any thing therein contained, extend not, nor be conſtrued to extend to give power or authority to the Perſons herein named or any of them to ſell, diſpoſe, or any way to contract for the ſaid *Jura Regalia* belonging to the ſaid Biſhop or his Predeceſſors or any of them, but that the ſame ſhall remain in the ſaid Truſtees, named in a late Ordinance intituled (*An Ordinance for the aboliſhing of Archbiſhops, and Biſhops within the Kingdom of England, and Dominion of Wales, and for ſetling their Lands and Poſſeſſions upon Truſtees for the uſe of the Common-wealth*) to be diſpoſed of as both Houſes ſhall think fit and appoint, any thing in this Ordinance to the contrary thereof contained in any wiſe notwithſtanding. Provided alſo, That the buildings, fabrick, or ſcite of any Cathedral Church or Churches, or any Chappels belonging to ſuch Cathedral Church or Chappels, or any other Churches, Churchyards, or places uſed for Burial, ſhall not be ſold or diſpoſed of by virtue of this Ordinance, any thing therein contained to the contrary notwithſtanding. Provided always, that the Truſtees, and the Treaſurers for the time being, by virtue of this Ordinance, ſhall pay, or cauſe to be paid unto the Aſſembly of Divines their conſtant pay and allowance, allowed unto them by former Orders of Parliament, with all their Arrears, out of the Rents, Revenues, and profits belonging to the late Archbiſhoprick of *Canterbury*, until ſuch time as the Lands and Revenues aforeſaid ſhall happen to be ſold away by virtue of this Ordinance. And it is further ordained, That if any Perſon or Perſons, Body Politick or Corporate, who ſhall be purchaſers of any part of the premiſes, ſhall hereafter be evicted out of any part of the Premiſes by virtue of any eigne, right, title, or intereſt in, or unto the ſame; that in ſuch caſe, the ſaid purchaſer and purchaſers ſo evicted, ſhall have full and due ſatisfaction, recompence, and allowance made to him, and them for the monies paid or advanced for the ſaid purchaſe, and that in ſuch manner as both Houſes of Parliament ſhall think fit: And if it be required by the purchaſer or purchaſers, or any of them, their, or any of their Heirs, or Aſſigns, one or more Acts of Parliament, or Letters Patents under the great Seal of *England* by Authority of Parliament, ſhall hereafter paſs, or be made for the further aſſuring of the premiſes, or any part of them unto ſuch purchaſer, or purchaſers, their Heirs or Aſſigns requiring the ſame.

And be it further ordained, That all Rents, Revenues, Iſſues, and profits, and all ſum and ſums of Money that ſhall be due or payable, by virtue of this preſent Ordinance for ſale of any of the premiſes, ſhall be received by the ſaid *William Gibbs*, Alderman, *Thomas Noel*, and *Francis Aſh*, who are hereby conſtituted, authorized, and appointed to be Treaſurers for the receiving, iſſuing, and paying out the ſame at Goldſmiths-Hall, or any other place where the Truſtees, or the major part of them ſhall from time to time think fit, within the City of *London*, and are hereby authorized and appointed to take and receive the Subſcriptions of every Perſon or Perſons Bodies Politick, or Corporate, that ſhall ſubſcribe any ſum or ſums of Money for, and towards the raiſing of the ſaid two hundred thouſand Pounds intended to be lent. And it is hereby ordained, that the ſaid Treaſurers, or any two of them, ſhall be, and and are hereby authorized, upon the receipts or certificates gi-

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ven by the former Treaſurers, Receivers, or Collectors to any Perſon or Perſons, of what was formerly advanced by them in Money, Plate, Horſes, Furniture, or Arms, upon the Publick Faith, or hath or ſhall be aſſigned unto them by any others, upon producing of the ſame to the ſaid Treaſurers, or any two of them, to aſcertain their principal, and intereſt, and to give them receipts for the ſame. As alſo for the new Money ſubſcribed, and payed by virtue of this preſent Ordinance, in the name of the parties to whom the ſame is owing, or ſo aſſigned; which receipts given by the ſaid Treaſurers, ſhall be a good and ſufficient ground to ſuch Perſons to whom the ſame ſhall be ſo given, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to require the ſum, and ſums of Money therein mentioned. And further, that it ſhall, and may be Lawful for every Perſon and Perſons, Bodies Politick or Corporate, who ſhall have any Monies due to him or them by virtue of this preſent Ordinance, to grant and aſſign the ſame unto any Perſon or Perſons whatſoever, and the ſame grant or aſſignment ſhall be good and effectual to all intents and purpoſes whatſoever, and allowed of by every Perſon and Perſons whatſoever, to whom it ſhall appertain to make any allowance thereof, as if he or they had lent the ſame themſelves.

And if any Perſon or Perſons, ſhall wittingly or willingly produce any falſe or forged Acquittance or Certificate to the ſaid Treaſurers, thereby to defraud the Common-Wealth; the Perſon or Perſons ſo offending, ſhall loſe and forfeit his Money lent, towards the raiſing of the two hundred thouſand Pounds, or any way due to him for ready-money, Plate, Horſes, Furniture, and Arms, lent, or ſent in by him upon the Publick Faith, or aſſigned unto him as afore-ſaid, the benefit whereof ſhall be for the uſe and benefit of the Common-wealth.

And be it further Ordered and Ordained by the Authority aforeſaid, that every Perſon or Perſons who ſhall ſubſcribe, as aforeſaid, and not bring in the Money ſo by him or them ſubſcribed, within eight days after ſuch ſubſcription unto the Treaſurers appointed by this preſent Ordinance for the receipt of the ſame, ſhall loſe and forfeit the Money that ſhall be due unto him upon the Publick Faith; unleſs he ſhall ſhew unto the ſaid Truſtees, or the major part of them, ſome reaſonable cauſe to be by them allowed. And be it further Ordained, that the ſaid Treaſurers hereby conſtituted and appointed for the receiving and iſſuing out of the ſaid Money, ſhall not iſſue or pay out any of the ſaid ſum of two hundred thouſand Pounds, to be borrowed for the uſe of the Common-wealth, as aforeſaid, but by Ordinance of both Houſes of Parliament: Which Ordinance, with the receipt of the party, or Parties, to whom the Money is appointed to be paid, ſhall be a good and ſufficient diſcharge to the ſaid Treaſurers, their Heirs, Executors, and Adminiſtrators. And the ſaid Treaſurers ſhall not diſpoſe, diſburſe, or pay any other ſum, or ſums of money that ſhall come to their Treaſury; or be paid to them out of the profits, or by ſale of any of the premiſes, but by warrant of the ſaid other Truſtees, or the major part of them; who are hereby required to give no warrant for the diſpoſing, iſſuing, or paying out of any ſum or ſums of Money, that ſhall be received by virtue of this Ordinance, but for the purpoſes in this Ordinance contained. And if any Warrant ſhall be made for any other purpoſe, the ſame ſhall be void.

And be it further Ordained by the Authority aforeſaid, That as the ſaid Treaſurers ſhall receive ready Monies by ſale of the premiſes, or by receipt of the rents and profits of the ſame, deducting charges and allowances; they ſhall pay and divide the ſame to the lenders, one fourth part of their whole debt that ſhall be owing to them in courſe, as they did pay their Money, with the intereſt then due; and ſo from time to time, till the whole be paid. Provided always, and it is hereby declared; that it ſhall and may be Lawful for every lender or lenders, who ſhall become a purchaſer of any part of the ſaid premiſes, to defalk or retain any Money that ſhall be due unto him by virtue of this preſent Ordinance, upon every purchaſe that he or they ſhall make, if the ſum by him lent ſhall not exceed the value of the purchaſe, or ſo much thereof as the ſame ſhall amount unto. And the ſaid Treaſurers ſhall allow the ſame accordingly.

And be it further Ordained, that the ſaid Treaſurers ſhall keep true and perfect books of Accounts of all their receipts, diſburſments, and payments; and ſhall give their Accounts to the Committee, for taking the Accounts of the

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the whole Kingdom for the time being; who are hereby required to take the ſame every ſix Months, and thereupon to give juſt diſcharges to the ſaid Treaſurers. And after ſuch diſcharges, the ſaid Treaſurers, their Heirs, Executors, and Adminiſtrators, ſhall not be further queſtioned for, or concerning any of the matters for which they have had, and received ſuch diſcharges.

And further, the ſaid Treaſurers ſhall have deducted and paid unto them, the ſum of one penny in the Pound, for all Monies by them to be received and paid.

And to the intent that according to the true meaning of the ſaid firſt recited Ordinance, the true contents and value of all and ſingular the premiſes may be known, and the beſt benefit and advantage of them may be made for the uſe and benefit of the Common-wealth: Be it Ordained by the Authority aforeſaid, That *Hen. Elſynge* Eſq; Clerk of the Houſe of Commons, ſhall be Regiſter and Keeper of, and ſhall have the cuſtody and keeping of all Records, Charters, Evidences, Court-Rolls, Leiger-Books, Writings, Books of Survey, Rentals, Certificates, and other things of or concerning the Lands and Poſſeſſions of the late Archbiſhops and Biſhops, or concerning any the Counties Palatine, Honours, Manours, Caſtles, Lands, Tenements, Hereditaments, or other the premiſes in the above recited Ordinance, and herein mentioned. And that all and every the Surveyors of the Premiſes ſhall make their Returns of all and every their reſpective Surveys by them taken from time to time, to the ſaid *Henry Elſynge*, who ſhall make Entry of all ſuch Surveys, Certificates, and other proceedings, as ſhall from time to time be returned or certified by the ſaid Surveyor or Surveyors of the Premiſes; And ſhall alſo make forth, Rate, and Sign all and every particular and particulars of the Premiſes, or any part thereof, whereupon any Contract or Contracts for Sale or otherwiſe ſhall, or is to be had, or made. And all and every the ſaid Contractors ſhall certifie all Contracts ſo by them, or any of them made, to the ſaid *Henry Elſynge* accordingly, who ſhall make Entry of all and every ſuch Contract and Contracts, and other proceedings thereupon: Every which ſaid particular and particulars of the Premiſes ſo to be made forth under the hand of the ſaid *Henry Elſynge*, ſhall be from time to time a good and ſufficient Authority to and for the ſaid Contractors, or any four or more of them, to contract, agree, or proceed thereupon; To have, hold, execute and enjoy the ſaid office or place of Regiſter and Keeper, by himſelf, or his ſufficient Deputy, together with the yearly Fee of one hundred Pounds *per annum*, payable out of the Receipts, Rents and Revenues ariſing out of the Premiſes, by the hands of the Treaſurers herein before mentioned; on the Five and twentieth day of *March*, the Four and twentieth day of *June*, the Nine and twentieth day of *September*, and the Five and twentieth day of *December*, Quarterly, by equal portions; and other reaſonable Fees for writing, rating, and ſigning of the ſaid particulars, and otherwiſe in the execution and diſcharge of the ſaid Place. Provided that the ſaid Regiſter and Keeper ſhall have but three pence the Sheet, of all things that are to be Copied, and to write fifteen lines in each Sheet. Which ſaid yearly Fee of one hundred Pounds, the ſaid Treaſurers are hereby required and authorized to pay accordingly, and that the Acquittance of the ſaid *Henry Elſynge* ſhall be a good Diſcharge to the ſaid Treaſurers and every of them, for the payment thereof as aforeſaid.

And it is hereby further Ordered and Ordained by the Authority aforeſaid, That the ſaid Truſtees, or the major part of them; the Survivors of them, or the major part of them their Survivors, and the Heirs of the ſaid Survivors, ſhall and may from time to time nominate and appoint under their hands and ſeals reſpectively, ſo many Perſons as they ſhall think fit, to be Surveyors for the putting of this Ordinance in execution touching the ſurveying of the Premiſes; Who ſhall have power to go into all and every the Counties, Cities, and Places within the Kingdom of *England*, and Dominion of *Wales*, or into ſo many of them as ſhall be thought fit.

And it is further ordained by the authority aforeſaid, that the ſaid Surveyors, or other Perſons to be authorized, as aforeſaid, or any three, or more of them, ſhall have full power and authority to enter into, and ſurvey all, or any of the Premiſes, or any part thereof; and they, or any three, or more of them, ſhall alſo have full power, and authority, as well by the

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the Oaths of good and lawful men, as by all other good and lawful ways and means, to enquire and find out what County Palatine, Honours, Manours, Lordſhips, Granges, Meſſuages, Lands, Tenements, Meadows, Leaſaws, Paſtures, Woods, Rents, Reverſions, Services, Parks, Annuities, and other Poſſeſſions, Priviledges, Liberties, Immunities and Hereditaments whatſoever, of what nature or quality ſoever they be, lying, or being within every ſuch County, or City, as aforeſaid, did at any time belong, or appertain unto all, every, or any ſuch Archbiſhops, or Biſhops, in right of Archbiſhopricks, Biſhopricks, Dignities, or places reſpectively, or to any other Perſon or Perſons in truſt for them, or any of them, as aforeſaid, in right of the ſaid Archbiſhopricks, and Biſhopricks, and what, and how much of the ſame is in poſſeſſion, and the true yearly value thereof, and what, and how much thereof is in Leaſe, and for what Eſtate, and when, and how determinable; when ſuch Leaſes or Eſtate was made, and whether antidated, and what Rents, Services, and other duties are reſerved and payable during ſuch Eſtate, or iſſuing out of the ſame: As alſo what Rents, Penſions, Charges, or other ſums of mony are iſſuing, due, or payable out of the premiſes, or any part thereof: And what Lands or premiſes are ſubject, or chargeable to, and with any good, pious, and charitable uſe, or uſes, and the certainty of the ſame; and to make one, or more exact and particular ſurvey, or ſurveys, and certificates of their proceedings, which certificate and ſurveys ſhall be recorded, and all Charters, Evidences, Court-rolls, and other Writings belonging to all, or any the Archbiſhops, Biſhops, Archbiſhopricks, or Biſhopricks, or concerning any of the Counties Palatine, Honours, Manours, Caſtles, Lands, Tenements, Hereditaments, or any other the premiſes before mentioned ſhall be kept in ſuch place in *London* or *Weſtminſter*, as the ſaid Truſtees, or the major part of them ſhall think fit and appoint. And that the ſaid Surveyors, or any three, or more of them, ſhall have power and authority, ſo often as they ſhall be thereunto appointed by the ſaid Truſtees, or the major part of them, to keep Courts of Survey within any of the Counties Palatine, Honours, Manours, and Premiſes. And to call before them any of the Tenants, or other perſons whom they ſhall conceive to have any intereſt in any of the Premiſes, to ſhew their Writings and Evidences, and diſcover what right, title, or intereſt, they or any of them have or may claim, of, into, or out of the ſame, or any part thereof. And alſo to examine by oath or otherwiſe, any Perſon or Perſons (other than ſuch as have or claim to have intereſt or title therein) for, or concerning the diſcovery of the Contents, Mets, Bounds, Extents, Titles, Rents, Improvements, Valuations, and Juriſdictions, of all, or any of the Premiſes: And for the diſcovering of any Records, Evidences, Writings, or Memorandums, concerning the ſame: And that as well the ſaid Truſtees, or any three of them, as the ſaid ſeveral Surveyors ſo authorized, or any three or more of them as aforeſaid, are hereby authorized to adminiſter an Oath concerning the premiſes to any Perſon or Perſons (other than ſuch as have or claim to have intereſt or title, concerning ſuch the premiſes as ſhall be in queſtion) And alſo to commit to Priſon any Perſon or Perſons (other than ſuch as have, or claim to have any intereſt or title as aforeſaid) that ſhall refuſe to take ſuch an Oath, or diſcover his knowledge concerning the Eſtate, Title, or Evidences, of any the Lands hereby intended to be ſold and diſpoſed of, or refuſe to deliver ſuch Evidences and Writings concerning the ſame, which are in his cuſtody or power, and do not concern the maintenance or defence of his intereſt, or ſuch rents or profits as he had title unto. And all Juſtices of Peace, Sheriffs, Mayors, Bayliffs, and other perſons, are hereby required to be aiding and aſſiſting to the ſaid Surveyors, or any of them, in the executing of this Ordinance, provided that it ſhall not extend to the impriſoning of any Peer of this Realm. And be it further Ordered and Ordained by the authority aforeſaid, That the Commiſſioners of Exciſe and new Impoſt for the time being are hereby charged and required upon the Certificate of the ſaid Treaſurers, certifying what ſum or ſums of money are due and payable to any Perſon or Perſons, Bodies Politick or Corporate, by virtue of this preſent Ordinance, to pay intereſt after the rate of eight pounds in the hundred for the ſame, to every ſuch Perſon or Perſons, Bodies Politick and Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns at the end of every

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ſix Months, during the time that the ſaid ſum and ſums of mony, or any part thereof ſhall remain unpaid; which Certificate the ſaid Treaſurers are hereby Authorized and required to make accordingly. And in caſe the whole two hundred thouſand pounds, or ſo much thereof as ſhall be lent, and the intereſt thereof, and ſuch other ſum and ſums as are payable by this preſent Ordinance for Mony, Plate, Horſes, with Furniture and Arms formerly advanced, with the intereſt thereof, ſhall not be ſatisfied by the Treaſurers aforeſaid, before all ſums of Mony charged upon the ſaid Exciſe or New Impoſt, by virtue of any Ordinance of both Houſes of Parliament, made before the twentieth day of *September* laſt, (except the two Ordinances of Parliament for ten thouſand pounds, and four hundred pounds for the Widows) ſhall be by the ſaid Commiſſioners of Exciſe paid and ſatisfied; that then the ſaid Commiſſioners of Exciſe upon the like Certificate from the ſaid Treaſurers as aforeſaid, ſhall be, and are hereby charged, and chargeable to pay the ſame with intereſt as aforeſaid, or ſo much thereof as ſhall be then due and unpaid, and ſhall begin to pay the ſame when they have in ready mony one fourth part of the whole Debt that ſhall be owing to the Lenders in courſe, as they did pay their mony, with the intereſt then due, and ſo continue until the whole mony hereby ſecured to be paid and then unpaid ſhall be fully paid and ſatisfied, in ſuch manner as the Treaſurers before mentioned were appointed to pay the ſame; and the ſaid Certificates of the ſaid Treaſurers, with the Receipt of the reſpective Lenders ſhall be a good diſcharge to the ſaid Commiſſioners of Exciſe and every of them, for their payment of any ſum or ſums of mony, by virtue of this preſent Ordinance. And to the end a juſt and true Accompt, and Regiſtry may be made, and kept of all and ſingular the Debts and Monies owing by the Parliament, to ſuch Perſon and Perſons as ſhall advance, or lend any ſum or ſums of Mony upon the ſecurity of the Biſhops Lands, and the Grand Receipt of the Exciſe in courſe, or which of them ſhall firſt be enabled to furniſh Monies for the repayment thereof, as alſo of all Payments and diſburſements which ſhall be made, or iſſue out of the ſame. Be it Ordained by the Authority aforeſaid; That, for and during the pleaſure of both Houſes of Parliament there be, and ſhall be one Regiſter Accomptant, who ſhall keep a true and plain accompt, or accompts, of all and every Debt and Debts due, or owing by the Parliament, for Plate, Mony, Horſes, or their Furniture, to any Perſon or Perſons, which ſhall have advanced or lent Monies as aforeſaid; and alſo of all ſuch Intereſt as is, or ſhall be due upon or for the ſame; which ſaid Regiſter Accomptant ſhall have full power, and is hereby authorized to view, peruſe, and take Copies of all and every Books, Writings, and Entries, in whoſe hands or cuſtody ſoever they or any of them are or ſhall be, wherein are or ought to be regiſtred or entred any Monies, Plate, or Horſes, with their Furniture, which have been lent, or ſet forth for the ſervice of the Parliament, to the end he may be the better enabled to diſcover, and find out whether according to the notes, entries, and accounts as ſhall be brought in upon the foreſaid advance, the Plate, Monies, Horſes, and Furniture mentioned therein, were at the days and times therein contained truly and really lent, and ſet forth for the ſervice of the Parliament or not; and upon due examination made thereof, the ſaid Regiſter Accomptant ſhall make true Certificate of all ſuch Debts which he ſhall find to be juſtly charged, together with the Intereſt due for the ſame unto the Treaſurer or Treaſurers for the time being, appointed by both Houſes of Parliament for the receiving of the Monies which ſhall be advanced upon the foreſaid ſecurity; upon whoſe approbation or allowance the ſaid Regiſter Accomptant ſhall give due credit for the ſame upon Account, that ſo it may plainly appear how much, and to whom the Parliament is indebted; and when any Monies are paid or iſſued forth, he ſhall alſo make the Parties receiving the ſame Debtor upon the ſame Accompt, and perform all other requiſite ſervices appertaining to the ſaid place. And the ſaid Lords and Commons taking into their conſiderations the faithful and good ſervice of Colonel *Robert Manwairing*, do hereby conſtitute and appoint him the ſaid Colonel *Robert Manwairing* to be Regiſter Accomptant of all and ſingular the Accompts and Regiſtries, which ſhall be kept of or concerning the Premiſes; to hold, execute, and enjoy the ſame Office of Regiſter Accomptant, together with the yearly Fee of two hundred Pounds *Per Annum*, payable out of the Rents and proceed of the Biſhops Lands, by the hands of the Treaſurers

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Treaſurers thereof for the time being, on the five and twentieth day of *March*, and the twenty ninth day of *September*, half yearly by equal portions. And for ſuch Clerks or under Officers as ſhall be imployed in and about the Premiſes, the ſame ſhall be approved of by the ſaid Treaſurers, and receive ſuch reaſonable ſalary for their ſervice as the ſaid Treaſurers ſhall from time to time think fit to allow.

And it is further Ordained, That *John Fowke*, Alderman of the City of *London*, ſhall be Comptroller of all Entries, Receipts, and Payments, which ſhall be made to or by the ſaid Treaſurers, and ſhall have Power and Authority by himſelf, or his ſufficient Deputies, to keep Account of all Entries, Receipts, Payments, and Diſcompts whatſoever, which ſhall be made unto or by the ſaid Treaſurers; And the ſaid Comptroller and his Deputies ſhall execute the ſaid place of the Comptroller in the Premiſes, according to the inſtructions hereafter mentioned, and ſuch other inſtructions as the ſaid Comptroller ſhall from time to time receive from both Houſes of Parliament.

And it is further hereby Ordained, That the ſaid *John Fowke* ſhall have for ſalary the yearly ſum of two hundred Pounds to be paid him quarterly by the ſaid Treaſurers, who are hereby authorized and appointed to pay the ſame, for which this preſent Ordinance with his receipt, ſhall be their ſufficient diſcharge. And for the better ſecuring of the principal Monies and the Intereſt herein mentioned, Be it Ordered and Ordained, That the Exciſe and New Impoſt upon Commodities, mentioned in the Ordinance of the eleventh of *September*, one thouſand ſix hundred forty and three, or any Ordinance or Ordinances of this preſent Parliament, made in explanation and continuance thereof, ſhall be continued, taken and put in due excution, until ſuch time as all ſums of Mony payable by virtue of this preſent Ordinance ſhall be paid and ſatisfied; And the payment of the ſaid Monies to be due and payable by virtue of this Ordinance, ſhall not be debarred, put by, or deferred from being paid out of the ſaid Exciſe, as aforeſaid, by any Order or Orders, Ordinance or Ordinances, of one or both Houſes of Parliament, or otherwiſe by the payment of any other or further ſum or ſums of Mony, than the ſame was and is charged with upon the ſaid twentieth of *September* laſt paſt (except as is before excepted.) And the Commiſſioners of the ſaid Exciſe and New Impoſt for the time being, are hereby charged and required, not to diſpoſe or pay any Monies that they ſhall receive for the New Impoſt or Exciſe, after the ſame ſhall be chaged in courſe as aforeſaid, with the payment of any of the principal Mony in this Ordinance contained, until ſuch time as the ſame, together with the Intereſt and every part thereof then behind and unpaid, ſhall be paid unto the Perſon or Perſons, Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns, to whom, upon the Certificate of the ſaid Treaſurers as aforeſaid, the ſame ſhall be found due for any ſum of Mony that ſhall be lent for and towards the raiſing of the ſaid two hundred thouſand Pound now to be raiſed, and of the ſaid ſum of Mony heretofore lent upon the Publick Faith, which with the Intereſt as aforeſaid, is to be paid by virtue of this preſent Ordinance.

And be it further Ordained by the Authority aforeſaid, That the ſaid firſt recited Ordinance, and this preſent Ordinance, and every Article, Clauſe, and thing therein contained, ſhall be pleadable, and may be given in evidence in any of his Majeſties Courts of Juſtice or other Courts, and the Judges of all the ſaid Courts, are required to allow and admit the ſame.

And it is alſo Ordered and Ordained, by the Authority aforeſaid, That if the Truſtees, or any of them, ſhall require it on the behalf of themſelves, or the lenders, one or more Act or Acts of Parliament, or Letters Patents under the great Seal of *England*, ſhall be paſſed for their or any of their further ſecurity.

And it is laſtly Ordained, That this preſent Ordinance, and the former recited Ordinances, ſhall be printed and publiſhed in all Counties, and other Cities, Towns Corporate, Pariſhes, Towns, Hamlets, and other places where the ſaid Truſtees, or the major part of them ſhall think fit.

Provided always, And be it Ordained by the ſaid Lords and Commons, That neither this Ordinance, nor any Branch, Clauſe, Article, or thing therein contained, ſhall extend to the great Capital Meſſuage, with the appurtenances ſcituate in *Chancery-Lane London*, commonly called or known by the name of *Serjeants-Inn* in *Chancery-Lane*, wherein the Judges and Serjeants

jeants of the Law, have for a long time lodged and reſided, and ſtill do lodge and reſide, nor to any part of *Lincolnes-Inn* in *Chancery-Lane*, nor ſhall in any wiſe be prejudicial or any diſturbance to the quiet poſſeſſion of the ſaid Judges or Serjeants that now are, or ſhall at any time hereafter reſide and lodge in the ſaid Meſſuage, or to any of the Society of *Lincolnes-Inn* within *Lincolnes-Inn* aforeſaid, any thing in this preſent Ordinance contained to the contrary thereof in any wiſe notwithſtanding; but that the ſaid Meſſuage and *Lincolnes-Inn* aforeſaid, with the appurtenances, ſhall continue and be a houſe of lodging and reſidence to and for the ſaid Judges and Serjeants, and others of *Lincolnes-Inn* aforeſaid, and for their uſe and benefit, in ſuch manner as they have been uſed and accuſtomed, at and under the yearly Rents uſually paid for the ſame, for the time that the ſaid Rents is to continue by any Leaſes now in being. And that the ſaid Truſtees appointed by Order of Parliament for the Biſhops Lands, and the Surviver and Survivers of them, their Heirs and Aſſigns, ſhall diſpoſe of the ſaid Meſſuage, with the appurtenances, from time to time, as by the ſaid Judges and Serjeants for the time being ſhall be directed and appointed, ſaving to all and every Perſon and Perſons, other than the ſaid Biſhops and their Succeſſors, all ſuch Right, Title, and Intereſt as they or any of them have or ought to have of and in the Premiſes.

Provided further, and be it Ordained, That the ſaid *Serjeants-Inn* ſhall be in the diſpoſing of both Houſes of Parliament, after the expiration of any Leaſe now in being, ſaving to all and every Perſon and Perſons other than the ſaid Biſhops and their Succeſſors, all ſuch Right, Title, and Intereſt, as they or any of them have or ought to have of and in the Premiſes.

Provided always that this Ordinance ſhall not extend to the putting out of any Stewards of any Liberties or Courts formerly appointed and made by virtue of any Ordinance of Parliament, but that they ſhall continue and be, during ſuch time as the ſaid Liberties and Courts ſhall remain and be in the hands of the aforeſaid Truſtees, and that they ſhall have and receive all ſuch Fees, Profits, and Allowances, as formerly were allowed them, this Ordinance or any other Ordinance, Act, or thing to the contrary notwithſtanding.

Inſtructions for a Comptrol upon the Accounts of all Monies to be received and paid by or to the Treaſurers appointed by this preſent Ordinance.

I.

THAT the Comptroller by himſelf, or his ſufficient Deputies, attend daily according to the uſual times, and be preſent at all Receipts and Payments, made within the ſaid Treaſurers Office, and make Duplicates or Entries of the ſame in fitting Books, to be provided and kept for that purpoſe.

II.

That every Tenant of the Premiſes, or any part thereof, and every Purchaſer of the Premiſes, or any part thereof, upon every payment of any ſum of Monies that he ſhall make to the Treaſurer, ſhall enter his acquittance with the Comptroler, which the Comptroler ſhall enter without fee.

III.

That the ſaid Treaſurers, or their Clerk to the Caſh, ſhall weekly upon every Monday *morning deliver the Comptroler or his Deputy, a Copy of all Receipts, Payments, and Diſburſements, and to whom, during the preceeding week; which the Comptroler is hereby required to enter in a Book to be kept for that purpoſe; and that no payment to be made by the ſaid Treaſurers, ſhall be allowed upon their Accompt, unleſs an Accompt thereof be weekly given as aforeſaid.*

IIII.

That the Regiſter ſhall weekly from time to time make Certificate to the Comptroler of all Rents, and of all rates of particulars, and of all Monies payable upon any ſuch Particulars, Contracts, or Bargains, made by virtue of this Ordinance, which ſhall be forborn upon Security, and how, and by whom the ſame is ſecured, and at what time payable; which Certificate the Comptroler ſhall enter in a Book, to be by him kept for that purpoſe.

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Inſtructions for Contractors for the ſale of the late Archbiſhops and Biſhops Lands.

THat the Contractors ſhall be ſworn before the Truſtees, or any three of them, according to their beſt skill and knowledge faithfully to diſcharge the truſt committed to them, and that they ſhall not for favour, affection, reward, or hope of reward, break the ſame truſt; which ſaid Truſtees, or any three of them, are hereby authorized to Adminiſter the ſaid Oath accordingly.

That the Demeſne Lands of the late Arch-Biſhops and Biſhops in poſſeſſion, ſhall not be ſold under Ten Years Purchaſe, of the full Values they were at in the Year 1641. The ſame Rule to be obſerved proportionably in the ſale of Reverſions, expectant upon Eſtates for Lives or Years.

That the due reſpect to be had by the Contractors, to the immediate Tenants, of any of the Late Arch-Biſhops or Biſhops, ſhall be in admitting them to the pre-emption of thoſe Manours, Lands, Tenements, and Hereditaments wherein they have any intereſt, ſo as the ſaid Tenants do come within thirty days after the return of the Certificates by the Surveyors, and agree to Purchaſe the ſame; and in caſe they do not agree within the ſaid thirty days, that then the ſaid Contractors do ſell the ſame to any other Perſon or Perſons that ſhall deſire to purchaſe them, ſo as ſuch ſale be made at a higher rate than was offered by the ſaid Tenants.

That upon the ſealing of the Aſſurance, the Purchaſor ſhall pay half his Purchaſe Mony down, and the other half within ſix Months; and for the laſt payment the Contractors ſhall take care, that they take good Security either by the Land it ſelf, or elſe by Perſonal Security. The ſame Security to be given to the Treaſurers.

That in all caſes where any Perſon or Perſons, that have lent any Monies upon this Ordinance ſhall be Purchaſors, their Monies ſo lent ſhall be eſteemed as ſo much paid towards their Purchaſe, if it exceed not the moiety of the Purchaſe mony: and for what exceeds the moiety, that every ſuch Purchaſor ſhall be allowed Intereſt for it until the end of ſix Months, wherein the remainder or total of the Purchaſe mony is to be paid.

Inſtructions for the Surveyors of the late Arch-Biſhops and Biſhops Lands, which are to be ſurveyed.

THat the Truſtees as aforeſaid ſhall have power to nominate one, two, three, or more Surveyors to ſurvey the Premiſes, or any part of them as they ſhall think fit, and that the Surveys and Returns made by any ſuch one, two, three, or more Surveyors, ſhall be good and effectual to be proceeded upon, notwithſtanding any Clauſe in any Ordinance of Parliament to the contrary.

That the Surveyor or Surveyors appointed, or to be appointed by the Truſtees, ſhall Survey, and inquire what Timber, Buildings, open Quarries, or Mines are upon any of the Premiſes, and certifie the condition and values thereof.

That no Surveyor, or any his Child or Children, or any in truſt for him or them, ſhall be admitted to be a Purchaſor of any part of the Lands ſurveyed, or to be ſurveyed by himſelf, upon pain of loſing his or their Purchaſe Mony, and the Purchaſe to be void.

Provided, that nothing in the Inſtructions, Oath, or in this preſent Ordinance, ſhall be conſtrued to compel the Surveyors to make any admeaſurement of the Lands, or any particular Survey, and of the number of Acres, unleſs they in their diſcretion ſhall think fit; the intention of the Houſes being, That the ſaid Surveyors ſhould make a ſpeedy return of their ſeveral Surveys, to the end that a ſpeedy ſale may be made thereupon.

Inſtructions

22 *Caroli.*

Inſtructions to be obſerved by the Regiſter.

I.

THAT he do receive all Surveys, and Certificates to be returned by the Surveyors, and immediately after the receipt thereof, fairly enter and Regiſter the ſame in Books, to be kept by him for that purpoſe, and in an orderly manner file, bundle up, and ſafely lay up, and keep the Originals.

II.

That he do weekly or oftener certifie unto the Contractors, what Surveys and Certificates are returned to him, and of what Manours, or otherwiſe as the caſe ſhall require.

III.

That upon Warrant and Direction from the Contractors, he do make forth, and fairly ingroſs in Parchment, particulars of all ſuch Manours, Lands, Tenements, and Hereditaments, Buildings, Woods, or other things ſurveyed and certified into his Office, by the Surveyors, whereupon the Contractors are to proceed, or intend to make any ſale, and that he do examine and ſign the ſame particulars, and deliver them to the Contractors.

IIII.

That upon Contract or Agreement made by the Contractors, for any Manours, Lands, Tenements, Hereditaments, Buildings, Woods, or other thing contained in any particular made forth, ſigned and delivered unto them by the Regiſter, the ſaid particular be returned to the Regiſter, together with the Order of Agreement or Contract made with the Purchaſors thereupon.

That upon return thereof, he do forthwith rate the particular, and aſcertain the purchaſe Mony, how much it comes to, at how many years Purchaſe the particulars contracted for are ſold, and enter the ſame upon the ſaid particular, together with ſuch other proceedings as ſhall be required by the Contract.

That he do return the particular thus rated and aſcertained to the Contractors, who are to ſign the ſame, to atteſt the Agreement, and thereupon to deſire and give Warrant to the Truſtees to draw up and ſeal Conveyances thereof to the Purchaſors accordingly.

That all particulars thus finiſhed, together with all proceedings thereupon, be fairly entred or regiſtred by the Regiſter, and be ſafely kept by him as Records, and that after ſuch entring and regiſtring thereof, the Regiſter do deliver the ſaid particulars unto the Truſtees to perfect the ſale as aforeſaid.

And to the end this ſervice may be performed in ſuch manner as the Regiſter may be able from time to time to give an account of all proceedings (if he ſhall be required) to the Parliament, himſelf, or one of his Deputies, are to attend upon, and enter all Orders and Proceedings before the Contractors.

That he do weekly make Certificate to the Treaſurers, Comptroller, and Regiſter, accomptant of all Rents, and all Rates of particulars, and of all Monies payable upon any Contract upon any particular, how much thereof is to be paid in hand, and how much to be forborn, and for what time, and how, and in what manner the ſum or ſums to be forborn are to be ſecured.

That he do methodize and put in good order all Charters, Evidences, and Writings, belonging to the late Archbiſhops, and Biſhops, and all Books of Survey, and other things to be delivered to his care and cuſtody, to be kept by him as Records, and make Catalogues of them, and fit them in ſuch manner, as the Subject may readily ſee, and have Copies (if he deſire it) of whatſoever ſhall be brought into the Regiſters Office, and be under his charge and cuſtody.

An. 1646.

17. *November*, 1646.

Ordered by the Lords and Commons Aſſembled in Parliament, That there be an additional allowance of three hundred pounds per annum, *allowed and paid unto Maſter Alderman* Fowke, *for his ſallary, for his execution of the place of Comptroller of the Receipts of Monies mentioned in the Ordinance, for the appointing the ſale of the late Biſhops Lands, over and above the two hundred pounds* per annum, *appointed by the ſaid Ordinance.*

Joh. Brown Cler. Parliamentorum.

Nov. 13. 1646.

Monk *takes the Covenant, and is imployed by the Parliament to* Ireland.

A Meſſage came from the Lords to the Houſe of Commons, That Col. *George Monk*, who was a Priſoner to the Parliament, had taken the Solemn League and Covenant, and was ready to take the Negative Oath likewiſe; and that their Lordſhips conceiving him a fit Man to be imployed for the ſervice of *Ireland*, in reſpect of his Valour and Abilities in Martial Affairs, do deſire that he may have a Commiſſion from the Committee of both Kingdoms for that ſervice; which the Houſe of Commons agreed unto, and a Commiſſion was granted to him accordingly.

Nov. 12. The Parliaments General Sir *Thomas Fairfax* came to *London*, being met ſome miles off the City by its Militia, and on *Saturday Nov.* 14. both Houſes went to viſit and congratulate him, at his Houſe in *Queen-ſtreet*, where firſt the Earl of *Mancheſter*, Speaker *pro Tempore* of the Houſe of Peers, Complemented him in the name of that Houſe; And they being gone, came the Houſe of Commons, and *Lenthal* their Speaker ſpake as follows.

Sir,

The Speaker's Speech to Congratulate Sir Thomas Fairfax. *Nov.* 14.

I Have a very hard Task to perform, to preſent the Reſpects of the Houſe of Commons according to your Excellencies Merit, and their deſires. To effect this accordingly, I ſhould have informed my ſelf from Hiſtories, that have preſerved the Memories of the famous Worthies of former Ages, and ſhould have taken the Dimenſions of the largeſt Coronets and Trophies wherewith they are made Glorious; and even thoſe would rather ſtreighten than enlarge the Temples of your Excellency: Or elſe I ſhould have Conſulted ſome of the moſt Learned and Eloquent Orators, who have ſet forth the Glorious Geſts performed in former times, whereby I might have inſiſted on ſome Parallel for your Wiſdom, Piety, Juſtice and Valour, but I conceived the Virtues and Succeſs which God had beſtowed upon you, were very hardly to be match'd, and rather needed more Induſtry and Memory to Enumerate, than Oratory to Poliſh.

Heretofore when I read the Hiſtories of the Acts of Famous Princes and Warriors in this or other Nations, it was not without ſome jealouſie, that in them there was ſome mixture and gloſſes of Oratory and Art, the more to ſet off and give Luſtre to their Acts, as Arguments of Emulation, for others to follow the footſteps of their Virtues; but the Actions of your Excellency will add Luſtre and Belief to them, being all verified in you. And (indeed) here, conſidering the ſwift Marches, and the Expedition of thoſe grand and difficult Attempts, which were proſecuted and effected by your Excellency, I may ſay, *The Almighty came riding on the wings of the wind*, for theſe were nothing elſe but the *Magnalia Dei*, acted in and by you his Inſtrument.

It was the Cuſtom of the Ancient *Romans*, after a glorious and ſucceſsful Prince, to derive his Name to Poſterity in memory of his Virtues; as after that great Prince *Julius Cæſar*, his Succeſſors retained the Name of *Cæſars*, as *Auguſtus Cæſar*, *Tyberius Cæſar*, &c. Thus hereafter all Famous and Victorious

Victorious ſucceeding Generals in this Kingdom (if the time ſhall prove ſo unfortunate) will deſire the addition of the Name of *Fairfax*. 22 *Caroli.*

And ſurely the Honour of the late Lord General was not, whilſt he lived, any way Eclipſed by the ſucceſſion of your Excellency in his Command, but rather augmented, whilſt each retained the brightneſs of his own Honour, having both Rays enough to enlighten a Kingdom then overſet with Clouds and thick darkneſs.

I ſhall need to ſay no more but this, That the World will admire your Excellencies worth, Poſterity will Honour your Name, and that the whole Houſe of Commons, in the name of the Commons of *England*, doth return you thanks for your faithful and memorable Service: The beginning, continuance, and effect whereof I muſt ſolely attribute to the Almighty, the Lord of Hoſts and Victories.

To this the General made a very modeſt return, expreſſing how much he eſteemed himſelf Honoured by the great Reſpects of the Houſes towards him, and that he accounted it his greateſt happineſs under God to be in the leaſt kind Inſtrumental for theirs and the Kingdom's Good.

The Monies on the before mentioned Propoſals and Security of the Biſhops Lands came in ſo faſt, that the whole ſum of two hundred thouſand Pounds was this day made up, and was ready at Goldſmiths-Hall; and the *Scots* Commiſſioners being made acquainted therewith, it was on the fifth of *December*, ordered and agreed, that the ſaid Mony ſhould be ſent down to *York*, and there told, and 100000 *l.* thereof paid at *North-Allerton* within five days after it is told; That when that Mony comes to *Topcliff*, the *Scots* ſhould give Hoſtages that they ſhould quit all their Quarters, Poſſeſſions and Garriſons on the South-ſide *Tyne*, *Newcaſtle*, and *Tinmouth*, with all the Arms, *&c.* within ten days, and upon performance the Hoſtages to be re-delivered. And that then the Kingdom of *Scotland* ſhall have Hoſtages given them for aſſurance that the other hundred thouſand Pounds ſhall be paid on the North-ſide *Newcaſtle*, within a mile of the Works, within eight days after the quitting *Newcaſtle*, *Tinmouth*, &c. and all their Forces drawn on the North-ſide of *Tyne*; That upon the payment of the ſaid other hundred thouſand Pounds on the North-ſide of *Newcaſtle*, the Engliſh Hoſtages to be releaſed; And upon the coming of the Mony out of *Newcaſtle*, the *Scots* are to give Hoſtages, that their Army ſhall march out of the Kingdom, and quit *Berwick* and *Carliſle*, and ſlight the Garriſons in *Scotland* within ten days, and then their Hoſtages to be delivered back. *Nov.* 27.

For the other 200000 *l.* the *Scots* Commiſſioners inſiſted that it might be paid out of *Delinquents* Eſtates, or ſome other particular Security; but the Houſe would only give them the Publick Faith for it.

Maj. General *Skippon* was recommended by *Fairfax*, as a fit Perſon to be made Governour of *Newcaſtle*, when it ſhould be quitted by the *Scots*, and to Command the Convoy that was to go down into the North, and to receive Poſſeſſion of thoſe places; And the two Houſes ordered the ſame accordingly. And on the ſixteenth of *December* the Monies in thirty ſix Carts marched out of *London*, and *Skippon* met it at *Northampton*; to which place alſo General *Fairfax* went down, the better to ſettle his Army in new Quarters. *Dec.* 11.

The Commons Voted, That the *Scots*, after the payment of the firſt two hundred thouſand Pounds to them, ſhall take no free Quarter, nor levey any Monies upon the Country; And both Houſes agreed *Dec.* 21.

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agreed that a Committee of Lords and Commons ſhould be ſent into *Scotland* upon the departure of the *Scots* Commiſſioners from hence, which Committee ſhould be enabled to ſatisfie the Kingdom of *Scotland* in all points, and prevent miſunderſtandings between the two Kingdoms; and for this Committee, the Lords named the Earl of *Stamford*, and the Commons Mr. *Aſhurſt* and Mr. *Tho. Goodwin*.

Hitherto nothing was agreed upon touching the diſpoſal of the King's Perſon, but it was concluded that the ſame ſhould not be any hindrance to the marching away of the *Scots* Army upon the payment of their Money.

The Parliament in *Scotland* had for ſome time been Sitting, and being on the *16th* of *December* turned into a grand Committee to conſider touching the diſpoſal of his Majeſty's Perſon, it was reſolved, That preſent Inſtructions ſhould be ſent to their Commiſſioners, to preſs his Majeſty's coming to *London* with Honour, Safety, and Freedom, and that they ſhould declare their Reſolutions to maintain Monarchical Government in his Majeſty's Perſon and Poſterity, and his juſt Title to the Crown of *England*.

Which Reſolutions gave the King's Friends there great hopes; but the next day all was daſh'd again, for then the following Warning was preſented to the Parliament from the Commiſſion of the Kirk.

A Soleinn and Seaſonable Warning, to all Eſtates and Degrees of Perſons throughout the Land; By the Commiſſioners of the General Aſſembly, Edinburg, 17. Decemb. 1646.

THE Conſcience of our duty, and of the great truſt repoſed in us, ſuffereth us not to be ſilent, nor to connive at the preſent dangers which may juſtly be apprehended and expected from the Enemies of this Cauſe and Covenant; Who although they cannot in this conjuncture of time appear in the ſame manner as formerly they have done; yet having retained the ſame principles (while they ſeem to lay aſide their former practices) do in a more covert and dangerous way ſtill drive at their own ends; And as Sathan is neither ſleeping nor idle, though he appear not always as a roaring Lion; So theſe who are inſpired and acted by him, have their wheels ſtill moving, though ſometimes they make no great noiſe. Wherefore that we may truly and faithfully contribute what is incumbent to us, for preventing or removing any occaſions of new troubles or differences between the King and his People, in both, or either of thoſe united Kingdoms, or between the Kingdoms themſelves; And leaſt the Church of Chriſt, and the true Reformed Religion be again toſſed with another, and perhaps a greater Tempeſt in the depth, after we ſeemed to be near the Harbour; We have found it, not only competent to our Place and Calling, but neceſſary for us (according to former laudable Preſidents both old and late) To emit this new Seaſonable Warning to the People of God in this Land, and to all Eſtates and Degrees of men therein; Whom we exhort, That firſt, and above all things, they apply their thoughts to make peace with God, to take notice of the remaining and renewed tokens of divine diſpleaſure againſt the Land, To tremble at the remembrance of former, and appearances of future judgments, To lament after the Lord, To lye low before the Throne of Grace, To cry mightily to Heaven for diſpelling that cloud of ſin which ſeparateth between our God and us, and for turning away that cloud of wrath which hangeth over our heads. There is cauſe to be humbled and to repent, as for all our inquities, So for the too little aſſiſtance which hath been given to ſuch as have born the heavieſt burthen, and ſuffered moſt in this cauſe; And for the too much compliance with, and indulgence to many who have been active in the late execrable Rebellion.

We

22 *Caroli.*

We know that none can reach the perfection of their duty, neither will the Lord reckon with his People according to his Juſtice, but ſpare them who walk in the integrity of their Spirits, as a man ſpareth his own Son, ſo that they may rejoyce in his mercy, notwithſtanding of their ſhort-comings, wherein they do not allow themſelves; But wilful neglects are juſt grounds of a great controverſie on the Lord's part, and of deep humiliation on ours: And we conceive that the failings of many are ſuch, becauſe the word of the Lord is a burthen unto them; And though they walk in the ways of their own heart, yet they ſay they ſhall have Peace; We would have none that are thus guilty to account light of it, and ſay, *Is it not a little one?* Every duty whereto we are obliged in the Covenant, is of great conſequence, and breaches even in ſmaller things prove inlets unto more grievous revoltings.

When we conſider how many who were once open oppoſers or ſecret underminers, being received to the Covenant, yet remain diſaffected to the ends of the ſame; We cannot but think that we walk in the midſt of ſnares, and that myſteries of iniquity work amongſt us, which may produce moſt ſad and lamentable effects, unto the prejudice of our Religion and Liberties. Therefore, Becauſe God hath no greater quarrel againſt a Nation than that of a broken Covenant; Let all who fear an Oath, remember the vows of God which are upon them, *Watch and Pray*, and take good heed that they be not cheated nor charmed into a violation of all, or any of the Articles of that Sacred and Solemn League and Covenant; And let thoſe eſpecially be obſerved and avoided, who do, or ſhall endeavour a diviſion and breach between the Kingdoms, or the making of any factions or parties contrary to the Covenant, under pretence of preſerving the King and his Authority, whilſt they do not conſtantly and ſincerely proſecute and preſs our frequent deſires of his ſubſcribing the League and Covenant, and giving ſatisfaction in all things to the juſt deſires of both Kingdoms; which underhand dealing can prove nothing elſe, but an abuſing of His Majeſty for mens own deſigns: We wiſh that none ſuffer themſelves to be deceived by any falſe gloſſes of the Covenant, under which ſome may poſſibly urge the keeping of it, ſo as to draw us into a certain breach thereof, and preſs the defence of the King's Authority and of Religion, to engage us in thoſe ways that would tend to the ruin of both: We are not now to preſs the want of full ſatisfaction in the much deſired work of Uniformity, as the ground of a breach between the Nations; Though we ſtill conceive, this Nation will never be wanting to proſecute that work to the uttermoſt of their power in all lawful ways, according to the League and Covenant.

Theſe Kingdoms, after many fervent Supplications and faithful endeavours of all the Lovers of Truth and Peace, have been happily united into a League and Covenant, which to this day hath been kept inviolably, notwithſtanding of all the oppoſition of open Enemies, and plotting of ſecret Underminers; And we are confident, that none but ſuch as have hearts full of Atheiſm and Treachery, will attempt the violation thereof, in whole, or in part; And that if any ſhall do the ſame, they ſhall expoſe themſelves to the Curſe of Almighty God, who will be avenged upon all that Swear falſly by his Name. We know that men of perverſe minds, wanting the fear of God, and meaſuring all things by their own ends, may conceive of it as alterable, or at leaſt, that all the Clauſes or Heads thereof are not ſo to be ſtuck upon, but that ſome one or more may be diſpenſed with upon civil advantages: But *we have not ſo learned Chriſt* or his Word; Both Nations have Covenanted with God, and each of them with another, in things moſt lawful and neceſſary for the preſervation and good of both, without any limitation of time: And therefore we and our Poſterity are obliged before God unto the Obſervation thereof, *as long as the Sun and Moon ſhall endure.* The Senſe of theſe things ought to be ſo deeply engraven upon the hearts of all that are in truſt, That as they ſhould from their Souls abhor every thought of a breach with *England*; So ſhould they carefully and wiſely ſtudy to avoid every thing that may prove a ſnare and tentation unto the ſame. Amongſt other things, if his Majeſty ſhall have thoughts of coming to this Kingdom at this time, he not having as yet ſubſcribed the League and Covenant, nor ſatisfied the lawful deſires of his Loyal Subjects in both Nations, We have juſt cauſe to fear that the conſequences of it may be very dangerous,

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rous, both to his Majeſty and theſe Kingdoms; Which therefore we deſire may be timely prevented.

For ſo long as his Majeſty doth not approve in his heart, and ſeal with his hand the League and Covenant, we cannot but apprehend, that according to his former Principles, he will walk in oppoſition to the ſame, and ſtudy to draw us unto the violation thereof, and the diſſolution of the Union ſo happily begun between Us and our Brethren, To weaken the Confidence and Truſt, and to entertain Jealouſies, and make diviſions amongſt our ſelves; Neither is it poſſible, but that our receiving him in this preſent poſture of Affairs, will confirm the ſuſpicions of the Engliſh Nation, of our underhand dealing with him before his coming to our Army; And make them, not without cauſe, to think that we purpoſe to diſpoſe of him without their conſent, and to their prejudice; which is contrary to the Profeſſion of thoſe that were in truſt at his Majeſty's firſt coming to the *Scots* Quarters, and overthroweth all the Arguments that have been uſed by the Commiſſioners of our Parliament in their Papers concerning *The diſpoſing of his Majeſty's Perſon by the joynt advice and common conſent of both Kingdoms given in to both Houſes of Parliament in* England; Nor do we ſee how we can vindicate ſuch a practice from a direct breach of our engagements to them by Covenant and Treaty; which were not only to expoſe us into the hazard of a Bloody War, but to involve us in the guilt of Perjury. And what greater diſſervice could be done to his Majeſty and his Poſterity, than to give way to a courſe that might prove prejudicial to their intereſt in the Crown and Kingdom of *England*.

Our carriage now for many years paſt, in the midſt of many tentations, hath put us beyond all ſuſpicion in the point of our Loyalty; nor have we the leaſt thoughts of deſerting the King's Majeſty in a juſt and good cauſe, being bound by our Covenant in our ſeveral Vocations to endeavour with our Eſtates and Lives, to preſerve and defend his Perſon and Authority, in the defence and preſervation of the true Religion and Liberties of the Kingdoms: And ſo far as his Majeſty ſhall be for theſe, we really are, and we truſt the reſt of his Kingdoms will be for him: Yet we cannot deny, but openly avouch it, That if his Majeſty (which the Lord forbid) ſhall not ſatisfie the juſt deſires of his People; Both Nations ſtand mutually obliged by that inviolable Covenant to purſue the ends therein expreſſed (which cannot be divided) againſt all lets and impediments whatſoever. It is therefore our moſt earneſt and longing deſire, That as thoſe who are in truſt with the Publick Affairs of this Kingdom have heretofore with all earneſtneſs and care in all their addreſſes dealt with his Majeſty, with much ſtrength of Reaſon and vehemency of Affection, ſo they would ſtill deal with him, to grant his Royal conſent to the deſires of both Kingdoms, for ſetling Religion according to the Covenant, and for ſecuring a perfect and durable Peace (which we look upon as the only hopeful means of preſerving himſelf, his Crown, and Poſterity) That his Majeſty may return to his Houſes of Parliament in *England* as a reconciled Prince to ſatisfied Subjects; And that acclamations of joy may be heard in all his Majeſty's Dominions, and no ſound of War heard therein any more, except againſt the bloody Iriſh Rebels, under whoſe barbarous and cruel perſecution, our diſtreſſed Brethren, both in this Kingdom and in *Ireland*, are ſtill groaning and crying out to us and to our Brethren in *England*, *Be at peace among your ſelves, and come to help us.*

After the Reading of this Admonition, the Parliament falling again into debate touching his Majeſty, Reſolved that his Majeſty ſhould be deſired to grant the whole Propoſitions; and in Caſe of refuſal, the Certifications given to his Majeſty ſhould be put in Execution, *viz.* To ſecure the Kingdom without him; And did declare, That the Kingdom of *Scotland* cannot lawfully engage themſelves for his Majeſty: He not taking the Covenant, ſatisfying as to Religion, *&c.* Nor would admit him to come into *Scotland*, unleſs he gave a Satisfactory Anſwer to the whole Propoſitions lately preſented to him in the Name of both Kingdoms.

Of

Of all which the Earl of *Lanerick* immediately gave his Majeſty Advertiſement, who diſpatch'd away the following Meſſage to the two Houſes at *London*, and to the Parliament at *Edinburgh*. 22 *Caroli.*

His Majeſty's laſt moſt Gracious Meſſage of Dec. 20. 1646. *to the Lords and Commons of the Parliament of* England *aſſembled at* Weſtminſter, *and to the Commiſſioners of the Parliament of* Scotland *at* London, *for a Perſonal Treaty.*

Charles R.

HIS Majeſty's thoughts being always ſincerely bent to the Peace of his Kingdoms, was and will be ever deſirous to take all ways which might the moſt clearly make appear the candour of his intentions to his People. And to this end could find no better way than to propoſe a Perſonal free debate with his two Houſes of Parliament upon all the preſent differences. Yet finding very much againſt his expectations, that this offer was laid aſide, his Majeſty bent all his thoughts to make his intentions fully known by a particular Anſwer to the Propoſitions delivered to him in the name of both Kingdoms, 24. *July* laſt. But the more he endeavoured it, he more plainly ſaw that any Anſwer he could make would be ſubject to miſ-informations and miſ-conſtructions, which upon his own Paraphraſes and Explanations he is moſt confident will give ſo good ſatisfaction, as would doubtleſs cauſe a happy and laſting Peace. Leſt therefore that good intentions may produce ill effects, His Majeſty again propoſeth, and deſires again to come to *London*, or any of his Houſes thereabouts, upon the Publick Faith and Security of his two Houſes of Parliament, and the *Scotch* Commiſſioners, that he ſhall be there with Honour, Fredom and Safety: Where, by his Perſonal Preſence, he may not only raiſe a mutual confidence betwixt him and his People, but alſo have thoſe doubts cleared, and thoſe difficulties explained to him, without which he cannot (but with the aforeſaid miſchievous inconveniences) give a particular Anſwer to the Propoſitions: And with which he doubts not but ſo to manifeſt his real intentions for the ſetling of Religion, the juſt Priviledges of Parliament, with the Freedom and Property of the Subject, that it ſhall not be in the power of wicked and malicious men to hinder the eſtabliſhing of that firm Peace which all honeſt men deſire. Aſſuring them that as he will make no other Demands but ſuch as he believes confidently to be juſt, and much conducing to the Tranquility of the People: So he will be moſt willing to condeſcend to them in whatſoever ſhall be really for their good and happineſs. Not doubting likewiſe but you will alſo have a due regard to maintain the juſt Power of the Crown, according to your many Proteſtations and Profeſſions. For certainly except King and People have reciprocal care each of other, neither can be happy.

To conclude, 'tis your King who deſires to be heard, (the which if refuſed to a Subject by a King, he would be thought a Tyrant for it) and for that end which all men profeſs to deſire. Wherefore his Majeſty conjures you, as you deſire to ſhew your ſelves really what you profeſs, even as you are good Chriſtians and Subjects, that you will accept this his Offer, which he is confident God will ſo bleſs, that it will be the readieſt means by which theſe Kingdoms may again become a comfort to their Friends, and a terror to their Enemies.

Newcaſtle, 20. Decemb. 1646.

To the Speaker of the Houſe of Peers pro tempore, *to be communicated to the Lords and Commons of the Parliament of* England *aſſembled at* Weſtminſter, *and to the Commiſſioners of the Parliament of* Scotland *at* London.

The Lords Voted, That the King being now in *England* may come to *New-Market*, there to remain with ſuch Attendants about him, as both Houſes of Parliament ſhall appoint; but the Com- Dec. 22.

An. 1646. mons agreed not with the Lords therein. And therefore Voted, that *Holmby* Houſe in *Northamptonſhire* would be a place moſt fit for his Majeſty, if he pleaſe to come thereunto, and abide with ſuch Attendants as both Houſes ſhall appoint.

The *Scots* Commiſſioners ſend word to the Houſes to acquaint them they were ſpeedily to go for *Scotland*, deſiring to know what further Service the Houſes had to Command them to the Parliament of that Kingdom. Upon which both Houſes Ordered their thanks to be returned to the ſaid Commiſſioners.

Dec. 25. The two Houſes ſat this day, tho' *Chriſtmas* day, and the Commons further debated the King's coming to *Holmby*, agreeing with the Lords, that his coming thither ſhould be with reſpect to the Safety and Preſervation of his Majeſty's Perſon, and in Preſervation and Defence of the true Religion, And the Queſtion being put, whether the words [*according to the Covenant*] ſhould be added, it paſs'd with the Affirmative.

Jan. 5. The Houſe of *Commons* Reſolve to appoint Commiſſioners of both Houſes, to go down to receive the King from the *Scots*, and to bring him to *Holmby*. And the Commiſſioners named, were for the Lords, the Earl of *Pembroke*, Earl of *Denbigh*, and Lord *Montague*; of the Commons, Sir *William Armyne*, Sir *John Holland*, Sir *Walter Earl*, Sir *John Cook*, Mr. *John Crew*, and Major General *Brown*, but Sir *William Armyne* deſired to be excuſed on account of his Health, and Sir *James Harrington* was appointed in his ſtead. And they all ſet forth out of *London*, *Jan.* the 13.

In the mean time his Majeſty perceiving the ill Circumſtances in which he was left, made theſe Queries to the *Scots* Commiſſioners then attending him.

His Majeſty's Query to the Scots *Commiſſioners upon* Thurſday *the* 14. *of January*, 1646.

IT is a received Opinion by many, That Ingagements, Acts, or Promiſes of a reſtrained Perſon, are neither valid nor obligatory; How true or falſe this is, I will not now diſpute; but I am ſure, if I be not free, I am not fit to Anſwer your or any Propoſitions: Wherefore you ſhould firſt reſolve me in what ſtate I ſtand (as in relation to Freedom) before I can give you any other Anſwer, (the Reaſon of this my Queſtion, the Governor can beſt reſolve you) But if you object the loſs of time and urgency of it, certainly in one reſpect it preſſes none ſo much as my ſelf, which makes me alſo think it neceſſary, that I be not to ſeek what to do when this Garriſon ſhall be ſurrendred up, to demand of you, in caſe I go into *Scotland*, if I ſhall be there with Honour, Freedom, and Safety, or how? Being ready to give you a farther and more particular Anſwer, how ſoon you ſhall have reſolved theſe two Queries.

The Scots *Commiſſioners Anſwer to his Majeſty's Queries*, Thurſday *the* 14. *of* Jan. 1646.

I. TO *the Firſt, in what ſtate you ſtand, as in relation to Freedom, the Parliaments of both Your Kingdoms have given ſuch Orders and Directions as they have thought fitteſt for the good and ſafety of your Majeſty and the Kingdoms, to the General and Governor.*

II. *To Your Majeſty's ſecond Query, of your going into* Scotland, *We ſhall humbly deſire, That we may not now be put to give any Anſwer; but if your Ma-*

jeſty

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jeſty ſhall either deny or delay your aſſent to the Propoſitions, We are in that caſe to repreſent to your Majeſty the Reſolutions of the Parliament of England.

His Majeſty's Anſwer to the Scots *Commiſſioners.*

I Know very well, that the General and Governor have received Orders concerning me; but the Queſtion is, into what ſtate thoſe Orders put me in (as relating to Freedom) to which you have either power to Anſwer, or not; if you have, then Anſwer me; otherwiſe, ſend to thoſe who can: And ſo for my ſecond Query.

The full conſent of the Parliament of *Scotland* for delivering up the King, was ſignified in the following Letter.

A Letter from the Parliament of Scotland *to the Parliament of* England.

Right Honourable,

OUR *Commiſſioners at* London *and* New-Caſtle, *having received from the Honourable Houſes the Vote of the firſt of* January, *and communicated the ſame to us; We have conſidered of it as a buſineſs of very great concernment to both Nations, And therefore have reſolved upon the incloſed Declaration and Deſires; Whereby it will appear how willing we are to comply with the Reſolutions of both Houſes; And how deſirous to remove all jealouſies, for ſtrengthning the Peace and Union, and maintaining a good underſtanding between the Kingdoms, ſo firmly tyed by Solemn League and Covenant; and how confident, that they will ſatisfie our reaſonable deſires, and make the integrity of their proceedings and reſolutions in all this buſineſs concerning his Majeſty, appear either by Declaration, or otherwiſe as in their Wiſdom they ſhall think fit; whereby no occaſion of calumny may be left to the wicked Enemies of either Nation. And as God hath bleſſed the joynt endeavours of both, during our Armies abode in that Kingdom; ſo it will be a great encouragement for us to hope for the continuance of the ſame bleſſing in time coming, that our reſolution be known to be one at our removing, in relation to all the ends contained in our mutual League and Covenant; and if any difficulty occurr there (for gaining of time) we deſire, that the Honourable Houſes may be pleaſed to ſend particular Inſtructions to their Commiſſioners at* New-Caſtle, *with whom we ſhall authorize ours to concur for the juſt ſatisfaction of both Kingdoms; and we reſt,*

Edinburgh *the* 16 *of* January 2647.

Your affectionate Friends Crawfurd *and* Lindſay.

For the Right Honourable the Lords and Commons Aſſembled in the Parliament of *England* at *Weſtminſter.*

J. P. D. Parl.

The Declaration of the Kingdom of Scotland.

WHereas it pleaſed God to joyn the Kingdoms of *Scotland*, *England* and *Ireland* in Solemn Leagne and Covenant, for Reformation and Defence of Religion, The Honour and Happineſs of the King, and their own Peace and Safety: And in purſuance thereof the *Scotiſh* Army being in the Kingdom of *England*, the King's Majeſty came to their Quarters before *Newark*, and profeſſed he came there with a full and abſolute intention to give all juſt ſatisfaction to the joynt Deſires of both Kingdoms, and with no thought either to continue this unnatural War any longer, or to make Di-

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viſion betwixt the Kingdoms; but to comply with his Parliaments and thoſe entruſted by them, in every thing for ſetling of Truth and Peace; and that he would apply himſelf totally to the Counſels and Advices of his Parliaments: Which he did not only profeſs Verbally to the Committee of Eſtates with the *Scotiſh* Army; but alſo in his ſeveral Letters and Declarations under his Hand, to the Committee of Eſtates of *Scotland*, and unto the two Houſes of the Parliament of *England* reſpectively. In Confidence whereof, and of the reality of his Intentions, and Reſolutions, which he declared did proceed from no other Ground, than the Deep Senſe of the Bleeding condition of his Kingdoms; The Committees of the Kingdom of *Scotland* and General Officers of the *Scotiſh* Army, declared to himſelf, and to the Kingdom of *England*, their receiving of his Royal Perſon to be on theſe terms, (which is truth, notwithſtanding what may be ſuggeſted or alledged to the contrary, by any within or without the Kingdoms;) and repreſented to him, that the only way of his own Happineſs, and Peace of his Kingdoms, under God, was, to make good his Profeſſions ſo ſolemnly renewed to both Kingdoms. Thereafter, not only were Propoſitions of Peace (which after ſerious and mature Deliberation were agreed upon) tendered to him in the name of both Kingdoms for his Royal Aſſent therennto; but alſo the chief Judicatories of this Kingdom, both Civil and Eccleſiaſtick, made their humble and earneſt Addreſſes to his Majeſty by Supplications, Letters, and Commiſſioners for that end; and did freely repreſent all the Prejudices and Inconveniences of the Delay or Refuſal of his Aſſent, and in Particular, that this Kingdom would be neceſſitated to joyn with the Kingdom of *England* conform to the League and Covenant, in providing for the preſent and future Security of both Kingdoms, and ſetling the Government of both, as might beſt conduce to the Good of both. And the Parliament of *Scotland* being now to retire their Army out of *England*, have again, for their further exoneration, ſent Commiſſioners to repreſent their renewed Deſires to his Majeſty, with the Danger may enſue by his Delay or Refuſal to grant the ſame; and that till then, there was danger to the Cauſe, to his Majeſty, to this Kingdom, and to the Union betwixt the Kingdoms, by his coming to *Scotland*; and that therefore there would be a joynt courſe taken by both Kingdoms concerning the Diſpoſal of his Perſon. And conſidering that his Majeſty by his Anſwer to the Propoſitions of Peace in *Auguſt* laſt, and alſo by his late Meſſage ſent to the two Houſes, and, by his Warrant, communicated to the Eſtates of this Kingdom, hath expreſſed his deſires to be neer to his two Houſes of Parliament: And ſeeing alſo the Parliament of *England* have communicated to the *Scotiſh* Commiſſioners at *Newcaſtle*, and by them to this Kingdom their Reſolution, That *Holmby-Houſe* in the County of *Northampton* is the Place which the Houſes think fit for the King to come unto, there to remain with ſuch Attendants about him as both Houſes of Parliament ſhall appoint, with reſpect had to the Safety and Preſervation of his Royal Perſon, in the Preſervation and Defence of the true Religion and Liberties of the Kingdoms according to the Covenant. Therefore, and in regard of his Majeſty's not giving a ſatisfactory Anſwer to the Propoſitions as yet, and out of their earneſt Deſire to keep a Right Underſtanding betwixt the Kingdoms, to prevent new Troubles within the ſame, to ſatisfie the Deſire of his Majeſty, of the two Houſes of the Parliament of *England*, and of this Kingdom, for his Reſidence in ſome of his Houſes near the Parliament of *England*: The Eſtates of the Parliament of the Kingdom of *Scotland*, do declare their Concurrence, for the King's Majeſty's going to *Holmby-Houſe*, or ſome other of his Houſes in or about *London*, as ſhall be thought fit, there to remain until he give ſatisfaction to both Kingdoms in the Propoſitions of Peace; And that in the interim there be no harm, prejudice, injury, nor violence done to his Royal Perſon: That there be no change of Government other than hath been theſe three years paſt: And that His Poſterity in no ways be prejudiced in their lawful Succeſſion to the Crown and Government of theſe Kingdoms.

Scots Coucurrence about the diſpoſal of the King.

And as this is the clear intention and full reſolution of the Kingdom of *Scotland*, according to their intereſt and duty in relation to the King's Majeſty; So they are confident (from the ſame grounds and manifold Declarations of the Parliament of *England*) that the ſame is the reſolution of their Brethren: And at ſuch a time they expect a renewed Declaration thereof,

and

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and that they will give brotherly and juſt ſatisfaction to the deſires herewith ſent. Like as the Kingdom of *Scotland* do hereby aſſure their Brethren of *England*, that it ſhall be their conſtant endeavour to keep, continue, and ſtrengthen the Union and Peace betwixt the Kingdoms according to the Covenant and Treaties. Extracted from the Records of Parliament, ſubſcribed by the Earl of *Crawfurd*, and *Lindſay* High Treaſurer of *Scotland*, and Preſident to the Parliament, Witneſſing thereunto the Subſcription and Sign Manual of me Sir *Alexander Gibſon* of *Dury* Knight, Clark of our Soveraign's Rolls, Regiſter, and Counſel.

January 16. 1647.

Alexander Gibſon
Clericus Regiſtri.

Deſires of the Kingdom of Scotland.

1. THAT a Committee of both Kingdoms be appointed to attend his Majeſty, and preſs him further for granting the Propoſitions of Peace; And in caſe of his refuſal, to adviſe and determine what is further neceſſary for continuing and ſtrengthening the Union between the Kingdoms, according to the Covenant and Treaties; And that no Peace nor Agreement be made by either Kingdom with the King, without the other, according to the late Treaty betwixt the Kingdoms.

2. Next it is deſired, that ſuch of the *Scotiſh* Nation, as have place or charge about the King (excepting ſuch as ſtand excepted in the Propoſitions of Peace) may attend and exerciſe the ſame; and that none ſhall be debarred from having acceſs to attend his Majeſty, who have Warrant from the Parliaments of either Kingdom reſpectively, or from the Committee of either Parliament thereunto authorized.

3. It is deſired, that the one Kingdom aſſiſt the other, in caſe they be troubled from within, or from without for this agreement.

4. That the Kingdom of *England* would ſpeedily condeſcend, and agree upon ſome competency of entertainment for the Forces which we are neceſſitated to keep up, to ſuppreſs the *Iriſh* Rebels, whom by the large Treaty they are bound to ſuppreſs.

Edenburgh the 16. *of* January. 1647.

Crawford and *Lindſay*
I. P. D. Parl.

A Copy of the Parliament of England's *Letter to the Parliament of* Scotland.

A Letter from your Lordſhips dated at *Edinburgh* the 16. inſtant, and the Papers therewith ſent, having been communicated to both Houſes of the Parliament of *England*, we are commanded to return this Anſwer. They do anſwer their Brethren of *Scotland*, that nothing needs to be ſaid unto them, for removing any jealouſies out of their hearts, or for ſtrengthning that confidence which they have in the affections of that Nation: And they do preſume that the Proceedings of the Houſes of the Parliament of *England*, from the very beginning of theſe troubles, are a ſufficient Declaration of their integrity, and of their conſtant affection to their Brethen of *Scotland*. And as to the deſires of the Kingdom of *Scotland* they do return theſe Anſwers.

To the firſt, That when the King ſhall be at *Holmby*, and the *Scotiſh* Forces gone out of this Kingdom, both Houſes of Parliament (ſaving according to their former Declarations the peculiar Rights of the Kingdom of *England*) will then appoint a Committee of theirs, to joyn with a Committee of the Kingdom of *Scotland*, to imploy their beſt endeavours to procure his Majeſty's aſſent to the Propoſitions agreed on by both Kingdoms, and preſented to his Majeſty at *Newcaſtle*, and to the diſpoſing of the Biſhops Lands, according to the Ordinances already paſſed both Houſes in that behalf. And in caſe the King ſhall not give his aſſent thereunto, however the

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the Houſes are ſtill reſolved, firmly to continue and maintain the happy Union between the two Kingdoms, according to the Treaties and Covenant; And that according to the late Treaty between the Kingdoms, no Ceſſation, nor any Pacification, or agreement for Peace whatſoever, ſhall be made by either Kingdom, or the Armies of either Kingdom, without the mutual advice and conſent of both Kingdoms.

To the ſecond deſire, both Houſes do declare, that it is not their intention, by their appointing of Perſons to wait upon the King in his journy to *Holmby*, to make a ſettlement of any Perſons in any particular places, nor to be any prejudice to any of the King's Servants that are of either Nation, who have adhered to the Parliaments: And that none ſhall be debarred from having acceſs to his Majeſty, who have Warrant from the Parliament of *Scotland*, or from the Committee of that Parliament thereunto authorized, except ſuch as are diſabled by the Propoſitions agreed on by both Kingdoms.

To the third deſire, the coming of the King according to the Votes of both Houſes of the Parliament of *England*, being agreeable to the Covenant and Treaties; They do declare, that upon any troubles that ſhall ariſe to the Kingdom of *Scotland* for the ſame, they will aſſiſt them according to the ſaid Covenant and Treaties.

To the fourth and laſt deſire, both Houſes return Anſwer, That their Garriſons being delivered up, and the *Scottiſh* Army and Forces being marched out of this Kingdom, they will take this their deſire into ſpeedy conſideration. This being all we have in command from the Houſes, we reſt,

Your affectionate Friends and Servants:

Weſtminſter, Jan. 27. 1646.

E. *Manchester*, Speaker of the Houſe of Peers *pro tempore.*
William Lenthal, Speaker of the Houſe of Commons.

For the Right Honourable the Lords, the Commons of Shires, and Burrows Aſſembled in the Parliament of *Scotland.*

The Commiſſioners that were to receive his Majeſty came to *Newcaſtle*, *Jan.* 23. To whom his Majeſty gave the Honour of Kiſſing his Hand, and the Earl of *Pembroke* told his Majeſty they were Commanded by both Houſes of Parliament to attend him to *Holmby*; at which his Majeſty did not ſeem at all ſurprized, but inquired how the Ways were, *&c.*

On the 28*th* of *Jan.* the *Scotch* Lords being all with his Majeſty; He told them he had often deſired to go into *Scotland*, that he came into their Army for Protection, and had it, but now perceived they were not willing he ſhould go to *Edinburgh.* And they being to deliver up the Garriſons, he deſired to know how they would diſpoſe of him, and for that end deſired them to withdraw, and conſider to whom they would deliver him; which they did, and coming in again, They told his Majeſty that they had conſidered of his Speech, and that ſince his Majeſty had refuſed to take the Covenant and Sign the Propoſitions, they were to deliver him to the Commiſſioners of both Houſes of the Parliament of *England*, who were come to attend him to *Holmby.*

On *Saturday Jan.* the 30*th* the *Scots* march'd out of *Newcaſtle*, and *Skippon* took Poſſeſſion of it, and the Parliaments Commiſſioners received the King into their Charge, and ſoon after ſet forwards with him to *Durham*, and ſo on to *Holmby*, being met by the way by Sir *Tho. Fairfax*, who kiſſed his Majeſty's Hand, and having conducted his Majeſty through *Nottingham*, took his leave very reſpectfully, and ſo his Majeſty was brought to *Holmby*, where he arrived on *Tueſday Feb.* 16. 164⅚.

CHAP.

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CHAP. XII.

The State of Affairs in Ireland *during the year* 1646.

THO' the two Houſes had nominated the Lord *Liſle* to be Lord Lieutenant General of *Ireland*, in the latter end of the year 1645. and afterwards ordered that he ſhould carry with him forty thouſand Pounds for the Service of that Kingdom, yet he met with ſuch delays in raiſing the ſame, and other diſappointments in things requiſite to his Journy, that it was near the end of this year 1646. before he could arrive in *Ireland*, for he Landed at *Cork* on the 20*th* of *Feb.* 164⅚. And his Commiſſion expired the 15*th* of *April* following.

In the mean time one of the firſt moſt remarkable Occurrences in *Ireland*, was that grand defeat received by the *Scots* under Major General *Monroe*, from *Owen Roe Oneil* and the *Iriſh* at *Benburgh*, and the Black Water near *Charlemont*, in the County of *Ardmagh*; touching which the ſaid *Monroe* expreſſed himſelf in a Letter to the *Scots* Commiſſioners at *London*, as followeth.

Monro's *Letter of his Defeat at* Benburgh, June 5. 1646.

Right Honourable,

IT being my duty to repreſent unto your Honours the condition of Affairs here touching our Army, and thoſe of the Britiſh Army, who were engaged with us in the ſervice, being extraordinarily ſcare of Proviſions, and hearing from all parts that the *Iriſh* had no conſiderable Army on foot, for Preſervation of our Quarters, it was reſolved by joynt advice to make to the Fields with a Months Proviſion, for to purchaſe Victuals or Cattle from the Enemy; So that we entred our march the ſecond of *June*, being effective under Arms 3400 Foot, and eleven Troops of Horſe, with ſix Fielding Pieces, and Colonel *Monro* was to joyn with us at *Glaſhloch* with three Troops of Horſe, and 240 Muſquetiers, *Auchinbreck* being left at home for defence of the Quarters; the Marquis Regiment being landed from *Scotland* two days before, could not be gotten in readineſs to joyn with us. It was alſo condeſcended on by the Engliſh Commiſſioners and me, that the *Laggan* Forces ſhould march unto *Connaght* immediately, to keep the Enemy buſied there, who were ordained to keep correſpondency with us on all occaſions; having parted with our Commiſſioners the ſecond night of our march near *Drummore*. The fourth in the Morning, I commanded forth a Party of Horſe, being 72 commmanded Horſe-men led by the Lieutenant of my Troop *Daniel Monro*, who had direction to croſs the black-water at *Benburgh* to ſcoure the Fields, and to certifie Colonel *Monro* of my Rendezvous place at *Glaſhloch June* the 5. where by the way at *Armagh* the Party unexpectedly foregathered with the Enemies fore Troop, and took a Priſoner of theirs, who gave intelligence that the Enemies Army were marching that morning from *Glaſhloch* to Quarter at *Benburgh* and *Charlemont*, which intercepted my Party from going to Colonel *Monro*; the Priſoner being ſent to meet me, after examination certified us the Enemies Army were effective above 5000 Foot, and twelve Troops of Horſe, provided with a fortnights Victuals. Being thus informed, I preſently broke up our night leaguer, and marched ſix miles further to *Hamiltons* hand four miles from *Armagh*, and ſent for our Party to retire upon the Army, being impoſſible for them to get through to Colonel *Monro*. *Friday* the fifth by four of the clock in the morning I marched to *Armagh* in view of the Enemy, thinking the nearer our Army was to theirs, to hinder them from ſending any ſtrength to fall upon Colonel *Monro*, his way lying directly

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rectly towards the Enemies Quarters. And having viewed the Enemies Army in a poſture to defend the paſſage at *Benburgh*, which being hard for us to force by reaſon of the ſtraitneſs of the paſs, the Enemy being Maſter of the Bridge and of the Ford, very Advantagious for him; preſently I conveened the Officers of the Army, to conſult what was beſt for us to undertake, where by joynt advice it was reſolved to march with the Army in the Enemies view to *Kinnard*, to croſs the Water there, and ſo to draw the Enemy from his Advantage, and from Colonel *Monro*, his Party being but weak, which being effectuated we were betwixt the Enemy and his Victuals, having gained the paſs at *Kinnard* without diſpute, and had the Enemy betwixt us and our Party, and our Baggage ſecured in our Rear; all our Army both Foot and Horſe did earneſtly covet fighting, which was impoſſible for me to gainſtand, without being reproached of Cowardiſe; And therefore having provided our ſelves for Battel, and that orderly, with reſolution we advanced towards the Enemy about ſix a Clock at night, and beat in their commanded men and fore Troops to their Army, where they ſtood ready in Battel to receive us. Lieutenant Colonel *Cuningham* with 500 Commanded men cleared the paſſage for our Horſemen to advance, who were commanded then in abſence of Colonel *Moure*, by the Lord Viſcount of *Ardes*; The Army followed up after the Fielding Pieces, and drew up in Battel forth againſt the Enemy, who had poſſeſſed themſelves with the Advantagious ground, where their Foot were covered with Scrogs and Buſhes; the ſervice begun hot on both ſides, continued from ſix a Clock at Night till after Sun ſet. The Enemy could not get charged on our left or right Wing, having the Blackwater on the right hand, and a marriſh bog on the left Wing, and we being drawn up in the plain, having our pieces before us and our Horſemen behind our reſerve, and it being impoſſible for the Enemy to charge us but in our Van, our Horſemen could receive them marching up, and charging through the intervals, betwixt the Brigades of Foot. About Sun ſet I perceived the Enemy making ready for a general aſſault, firſt with his Foot, and his Horſe coming up behind his Foot to ſecond them, I had given order to a Squadron of our Horſe to break through them before they ſhould advance to our Foot, that Squadron of Horſe conſiſting for the moſt part of *Iriſh Riders*, although under the *Engliſh* Command, did not charge, but retreated diſorderly through our Foot, making the Enemies Horſe for to follow them, at leaſt one Squadron, notwithſtanding thereof our Foot ſtood to it, and received the Enemies Battalions body to body with puſh of Pike, till at laſt our ſecond Squadron of Horſe charged the Enemies Horſe, and fell pell mell amongſt our Foot, who being carried in diſorder, had no way of retreat but to wade the Black-water where it was ſcarce fordable, and by that means and the darkneſs of the Night many of our Foot eſcaped, with the loſs of ſome few Officers, ſix Field Pieces, and ſome Colours, ſo that by all appearance the *Iriſh* under the *Leſnegarvey* Horſemen had a purpoſe to betray the Army by their running away, leaving the Foot to be cut down, who were alſo deſerted by the reſt of the Horſe after retiring from their laſt charge; the Enemy falling on our Baggage, the Baggage Horſes being all gone, the Enemy loved the ſpoil better than to proſecute the Victory. So that we loſt of the Foot at the neareſt conjecture five or ſix hundred, and twenty Officers were taken Priſoners, the Lord of *Ardes* being one; we loſt alſo many Arms, by reaſon the Souldiers had above 50 Miles to retire. And notwithſtanding of all our loſſes, the Enemy as yet (praiſed be God) hath not attempted to proſecute his Victory within our Quarters, and Col. *Monro* with his Party miraculouſly retreated home from the Enemy, who viewed them, without the loſs of a Man. And now we are making up our Forces again, having not loſt of our Horſemen above thirty, and one Cornet who was killed; we are both ſcarce of Arms and Victuals, and for ought I can underſtand, the Lord of Hoſts had a controverſie with us to rub ſhame on our Faces, as on other Armies, till once we ſhall be humbled; for a greater confidence did I never ſee in any Army than was amongſt us, and we behooved to taſte of bitterneſs as well as others of both Nations; but praiſed be God being now humbled before God, we increaſe in courage and reſolution; ſo according to your intereſt in us and in the poor inhabitants in this Province, uſe ſome ſpeedy means to ſupply us. Thus recommending your Lord-

Lordſhips and all your weighty affairs to the protection of the Almighty, I humbly take my leave. 22 *Caroli.*

Carick-fergus the 11th *of* June. ROBERT MONRO.

About the ſame time a Party of our Country men in *Connaght* incountred with a commanded Party of *Preſton's* Army, where the Enemy loſt five hundred men, beſides twenty Officers that were taken Priſoners, whereof General Major *Taaff* was the ſpecial, with whom and ſuch others as I have Priſoners of theirs, we intend to relieve the Lord *Ardes* and other of our Friends.

But other Relations make *Monro's* loſs much greater, *viz.* near 5000 kill'd and taken, and as many Arms loſt; the Lord *Montgomery, alias* Viſcount of *Ardes* taken, his Lieutenant of Horſe mortally wounded, many Officers kill'd, *&c.* And it was generally concluded, that if the *Iriſh* Rebels had had the Courage or Policy to have proſecuted this great Victory, they might have deſtroyed all the *Scotch* Quarters, and bid fair for the Town they then poſſeſſed; but inſtead thereof, *Owen Roe* marched with the Priſoners and Colours in Triumph to *Kilkenny*, and thereby gave the *Britiſh* Forces a breathing time to Recruit.

And now the Peace between his Majeſty's Lieutenant the Marqueſs of *Ormond*, and the Commiſſioners of the Confederate Roman Catholicks, was after a tedious Treaty Concluded, upon the following Articles, and Proclaimed thus.

By the Lord Lieutenant and Council.

ORMOND.

Proclamation of Peace with the Iriſh, *July* 30.

WHereas Articles of Peace are made, concluded, accorded and agreed upon, by and between Us, James *Lord Marqueſs of* Ormond, *Lord Lieutenant General, and General Governor of his Majeſty's Kingdom of* Ireland, *his Majeſty's Commiſſioner to Treat and Conclude a Peace with his Majeſty's Roman Catholick Subjects of the ſaid Kingdom, by virtue of his Majeſty's Commiſſion under the great Seal of* England, *bearing date at* Buckingham *on the* 24. *day of* June, *in the Twentieth year of his Reign, for, and on the behalf of His moſt Excellent Majeſty of the one part, and* Donogh *Lord Viſcount* Muskery *and others, appointed and Authorized by his Majeſty's ſaid Roman Catholick Subjects, by virtue of an Authority of the ſaid Roman Catholick Subjects, bearing Date the ſixth day of* March 1645. *and in the* 21. *year of his Majeſty's Reign, of the other part, a true Copy of which Articles of Peace is hereunto annexed, We the Lord Lieutenant and Council do by this Proclamation in his Majeſty's Name publiſh the ſame, And do, in his Majeſty's Name, ſtrictly charge and command all his Majeſty's Subjects, and all others Inhabiting or Reſiding within his Majeſty's ſaid Kingdom of* Ireland, *to take notice thereof, and to render due Obedience to the ſame in all the parts thereof.*

And as his Majeſty hath been induced to this Peace out of a deep ſenſe of the miſeries and calamities brought upon this his Kingdom and People, and out of a hope conceived by his Majeſty that it may prevent the further effuſion of his Subjects blood, redeem them out of all the miſeries and calamities under which they now ſuffer, reſtore them to all quietneſs and happineſs under his Majeſty's moſt gracious Government, deliver the Kingdom in general from thoſe ſlaughters, depredations, rapines and ſpoils which always accompany a War, encourage the Subjects and others with comfort to betake themſelves to Trade, Traffick, Commerce, Manufacture, and all other things which uninterrupted may increaſe the wealth and ſtrength of the Kingdom, beget in all his Majeſty's Subjects of this Kingdom, a perfect Unity amongſt themſelves, after the too long continued Diviſion amongſt them: So his Majeſty aſſures himſelf that all his Subjects of this his Kingdom (duly conſidering the great and ineſtimable benefits which they may find in this Peace) will with all duty render due obedience thereunto. And we, in his Ma-

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jeſty's Name do hereby Declare, That all Perſons ſo rendring due Obedience to the ſaid Peace, ſhall be protected, cheriſhed, countenanced and ſupported by his Majeſty and his Royal Authority, according to the true intent and meaning of the ſaid Articles of Peace.

Given at His Majeſty's Caſtle of *Dublin*, the thirtieth day of *July*, 1646.

Ri. Bolton, Canc. *La. Dublin.*

Roſcomon. *Dillon.* *Geo. Cloyne.*

Cha. Lambart. *Arthur Chicheſter.*

Gerrard Lowther. *Hen. Tichborn.*

Fr. Willoughby. *Tho. Lucas.*

Robert Forth. *Ja. Ware.*

God ſave the King.

The Articles of the Peace with the Iriſh. 1646.

Articles of Peace made, concluded, accorded, and agreed upon, by and between his Excellency James *Lord Marqueſs of* Ormond, *Lord Lieutenant General, and General Governour of his Majeſty's Kingdom of* Ireland, *his Majeſty's Commiſſioner to Treat and Conclude a Peace with his Majeſty's Roman Catholick Subjects of the ſaid Kingdom, by virtue of his Majeſty's Commiſſion under the Great Seal of* England, *bearing date at* Buckingham, *the* 24. *day of* June, *in the twentieth year of his Reign, for and on the behalf of his moſt Excellent Majeſty, of the one Party; And* Richard *Lord Viſcount* Mountgarret, Donogh *Lord Viſcount* Muskery, *Sir* Robert Talbot *Baronet*, Dermot O Bryen, Patrick Darcy, Geffery Brown, *and* John Dillon, *Eſquires, Appointed and Authorized by his Majeſty's ſaid Roman Catholick Subjects, by virtue of an Authority of the ſaid Roman Catholick Subjects, bearing date the ſixth day of* March, Anno Domini, *One thouſand ſix hundred forty five, and in the twenty one year of his Majeſty's Reign, Authorizing them and others, or any four or more of them, to Treat and Conclude a Peace in the ſaid Kingdom of* Ireland, *with his Majeſty's ſaid Commiſſioner, for and in the behalf of his Majeſty's ſaid Roman Catholick Subjects on the other Party.*

IN*primis*, It is Concluded, Accorded and Agreed upon, by his Majeſty's ſaid Commiſſioner, for and on the behalf of his moſt Exceſſent Majeſty, and the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot* Baronet, *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon*, Eſquires, on the behalf of the ſaid Roman Catholick Subjects; And his Majeſty is graciouſly pleaſed, that it ſhall be provided by Act of Parliament to be paſſed in the next Parliament to be held in this Kingdom, That the Profeſſors of the Roman Catholick Religion in the ſaid Kingdom, or any of them, be not bound or obliged to take this Oath expreſſed in the Statute of *Secundo Eliz.* commonly called *the Oath of Supremacy*, And that the ſaid Oath ſhall not be tendred unto them, and that the refuſal of the ſaid Oath ſhall not redound to the prejudice of them, or any of them, they taking the Oath of Allegiance, *In hæc verba. I A. B. do truly acknowledge, confeſs, teſtifie, and declare in my Conſcience before God and the World, That our Soveraign Lord King* CHARLES *is Lawful and Rightful King of this Realm, and of other his Majeſty's Dominions and Countries, and I will bear Faith and true Allegiance to his Majeſty, and his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my power againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Crown or Dignity, and do my beſt endeavour to diſcloſe and make known unto his Majeſty,*

22 *Caroli.*

Majeſty, his Heirs and Succeſſors, or to the Lord Deputy or other Governour for the time being, all Treaſons or Trayterous Conſpiracies, which I ſhall know or hear to be intended againſt his Majeſty or any of them, and I do make this recognition and acknowledgement heartily, willingly, and truly, upon the true faith of a Chriſtian. So help me God, &c. So as by the ſame Act it be further Provided and Enacted, that if any Roman Catholick happen to be promoted, preſented or advanced to any Eccleſiaſtical promotion, dignity or Benefice according to the form now uſed in the Proteſtant Church of *Ireland*, That the freedom and exemption aforeſaid ſhall not extend to any ſuch Roman Catholick; Or if any being Proteſtant, be advanced, promoted or preſented to any Eccleſiaſtical Benefice, Dignity or Promotion, ſhall afterwards happen to become a Roman Catholick, that the freedom and exemption aforeſaid ſhall not ſo far extend to any ſuch Roman Catholick, but that upon tender of the ſaid Oath, and refuſal thereof, he be for that cauſe left ſubject to privation of the ſaid Benefice, Dignity or Promotion, according to the ſaid Statute; And it is further concluded, accorded and agreed, by and between the ſaid Parties, that for all matters concerning the firſt Propoſition of the ſaid Catholicks, *viz.* That all Acts made againſt the Profeſſors of the Roman Catholick Faith, whereby any reſtraint, penalty, mulct, or incapacity, may be laid upon any Roman Catholick within the Kingdom of *Ireland*, may be Repealed, and the ſaid Catholicks to be allowed the freedom of the Roman Catholick Religion. That his Majeſty's ſaid Roman Catholick Subjects be referred to his Majeſty's gracious Favour and further Conceſſions; And that no clauſe in theſe Articles ſhall or may hinder his Majeſty's ſaid Roman Catholick Subjects, or any of them from the benefit of his Majeſty's further Graces and Conceſſions; And that no uſe ſhall be made of the Papers paſt on this Treaty, or any of them, concerning the ſaid firſt Propoſition, which may in any ſort hinder the ſaid Roman Catholick Subjects, or any of them, from his Majeſty's further Conceſſions. And that his Majeſty's ſaid Commiſſioner and other chief Governour or Governours of this Kingdom for the time being, ſhall cauſe whatſoever ſhall be further directed by his Majeſty to be paſſed in Parliament, for and on the behalf of his ſaid Roman Catholick Subjects, to be accordingly drawn into Bills, and tranſmitted according to the uſual manner, to be afterwards paſſed as Acts in the ſaid Parliament.

2. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed to call a new Parliament to be held in this Kingdom, on or before the laſt day of *November* next enſuing, and that all matters agreed on by theſe Articles to be paſſed in Parliament, ſhall be tranſmitted into *England*, according to the uſual form, to be paſſed in the ſaid Parliament, and that the ſaid Acts ſo to be agreed upon, and ſo to be paſſed, ſhall receive no alteration or diminution here or in *England*; Provided, that nothing ſhall be concluded by both or either of the ſaid Houſes of Parliament, which may bring prejudice to any of his Majeſty's Proteſtant Party, or their Adherents, or to any of his Majeſty's Roman Catholick Subjects Party, or their Adherents, other than ſuch things as upon this Treaty ſhall be concluded to be done, or ſuch things as may be proper for the Committee of Priviledges of either or both Houſes, to take cognizance of, as in ſuch caſes heretofore hath been accuſtomed, and ſuch other things as ſhall be propounded to either or both Houſes by the Lord Lieutenant, or other chief Governour, or Governour for the time being, during the ſaid Parliament, for the advancement of his Majeſties Service, and the Peace of the Kingdom, which Clauſe is to admit no Conſtruction, which may trench upon theſe Articles or any of them.

3. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, And His Majeſty is further graciouſly pleaſed, that all Acts, Ordinances, and Orders made by both or either Houſes of Parliament, to the blemiſh, diſhonour, or prejudice of his Majeſties Roman Catholick Subjects of this Kingdom, or any of them, ſithence the 7. of *Auguſt*, 1641. ſhall be vacated, and that the ſame, and all exemplifications, and other Acts, which may continue the memory of them, be made void by Act of Parliament.

4. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, And His Majeſty is further graciouſly pleaſed, that

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all Indictments, Attainders, Outlawries in this Kingdom, and all the Proceſſes and other proceedings thereupon, and all Letters Patents, Grants, Leaſes, Cuſtodiams, Bonds, Recognizances, and all Records, Act or Acts, Office or Offices, Inquiſitions, and all other things depending upon, or taken by reaſon of the ſaid Indictments, Attainders or Outlawries, ſithence the 7. of *Auguſt*, 1641. in prejudice of the ſaid Catholicks, their Heirs, Executors, Adminiſtrators and Aſſigns, or any of them, or the Widows of them or any of them, ſhall be vacated and made void in ſuch ſort, as no memory ſhall remain thereof to the blemiſh, diſhonour, or prejudice of the ſaid Catholicks, their Heirs, Executors, Adminiſtraters or Aſſigns, or any of them, or the Widows of them or any of them, and that to be done immediately after concluding of theſe Articles, and at furtheſt before the firſt day of *October* next; Or in caſe the ſaid new Parliament be called ſooner than the ſaid laſt day of *November*, then forty days before the ſaid Parliament. And that all impediments which may hinder the ſaid Roman Catholicks to Sit or Vote in the next intended Parliament, or to chooſe or to be choſen Knights and Burgeſſes to Sit or Vote there, ſhall be removed before the ſaid Parliament. Provided, that no man ſhall be queſtioned by reaſon of this Article for meſne-rates or waſtes, ſaving wilful waſtes committed after the firſt of *November*, 1645.

5. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that all debts do ſtand in ſtate as they were in the beginning of thoſe troubles, and that no grant or diſpoſition made, or to be made thereof, by virtue or colour of any Attainder, Outlawry, Fugacy or other Forfeiture whatſoever, or otherwiſe, ſhall be of force, and this to be paſſed as an Act in the ſaid next Parliament.

6. *Item*, It is concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is graciouſly pleaſed, that for the ſecuring of the Eſtates or reputed Eſtates, of the Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, as well of *Connaught*, and County of *Clare*, or Country of *Thomond*, as of the County of *Limerick* and *Tipperary*, the ſame to be ſecured by Act of Parliament, according to the intent of the 25 Article of the Graces, granted in the fourth Year of his Majeſty's Reign, the Tenor whereof, for ſo much as concerneth the ſaid Propoſition, doth enſue in theſe words, viz. *We are Graciouſly pleaſed, that for the ſecuring of the Inhabitants of* Connaught, *and Country of* Thomond, *and County of* Clare, *that their ſeveral Eſtates ſhall be confirmed unto them and their Heirs, againſt Us, and our Heirs and Succeſſors, by Act to be paſſed in the next Parliament to be holden in* Ireland, *to the end the ſame may never hereafter be brought into any further queſtion by Us, Our Heirs and Succeſſors; In which Act of Parliament ſo to be paſſed, you are to take care, that all Tenures* in Capite, *and all Rents and Services, as are now due, or which ought to be anſwered unto Us, out of the ſaid Lands and Premiſes by any Letters Patents paſt thereof, ſince the firſt year of King* Henry *the Eight, or found by any Office taken from the ſaid firſt year of King* Henry *the Eight, until the* 21. *of* July 1615. *Whereby our late dear Father, or any His Predeceſſors actually received any profit, by Wardſhip, Liveries, primer Seiſins, meſne-rates, Ouſter le mains, or fines of alienations without licence, be again reſerved unto Us, Our Heirs and Succeſſors; and all the reſt of the premiſes to be holden of our Caſtle of* Athloane, *by Knights Service, according to Our ſaid late Father's Letters, notwithſtanding any Tenures* in Capite *found for Us by Office ſince the* 21. *of* July, 1615. *And not appearing in any ſuch Letters Patents, or Offices;* within which Rule it is his Majeſty's pleaſure, and it is ſo concluded and agreed, that the ſaid Lands in the Countreys of *Limerick* and *Tipperary*, be included, but to be held by ſuch Rents and Tenures only as they were in the fourth Year of his Majeſty's Reign: Provided always, and it is the intention of the ſaid Parties to theſe preſents, that the ſaid Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, of the ſaid Province of *Connaught*, County of *Clare*, and Country of *Thomond*, and Counties of *Tipperary* and *Limerick*, ſhall have and enjoy the full benefit of ſuch Compoſition and Agreement, which ſhall be made with his moſt Excellent Majeſty for the Court of Wards, Tenures, Reſpites and Iſſues of Homage, any clauſe in this Article contained to the contrary notwithſtanding: And as for the Lands within the Counties of *Kil-*

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kenny and *Wickloe*, unto which his Majeſty was intituled by Offices taken or found in the time of the Earl of *Strafford*'s Government in this Kingdom; his Majeſty is graciouſly pleaſed, that the ſtate thereof ſhall be conſidered in the next intended Parliament, wherein his Majeſty will aſſent unto that which ſhall be juſt and Honourable; And it is further concluded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that the like Act of Limitation of his Majeſty's Titles for the ſecurity of the Eſtates of his Subjects of this Kingdom, be paſſed in the ſaid Parliament, as was Enacted in the 21. Year of his late Majeſty King *James* his Reign in *England*. 22 *Caroli.*

7. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that all Incapacities, impoſed upon the Natives of this Kingdom, or any of them as Natives, by any Act of Parliament, Proviſoes in Patents, or otherwiſe, be taken away by Act to be paſſed in the ſaid Parliament; And that they may be enabled to erect one or more Inns of Court, in or near the City of *Dublin*, and that ſuch Students, Natives of this Kingdom, as ſhall be therein, may take and receive the uſual degrees accuſtomed in any Inns of Court, they taking the enſuing Oath, viz. *I A. B. do truly acknowledge, profeſs and declare in my Conſcience, before God and the World, That our Soveraign Lord King* Charles *is Lawful and Rightful King of this Realm, and of other his Majeſty's Dominions and Countries, and I will bear Faith and true Allegiance to his Majeſty, and his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my power, againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Crown and Dignity; and do my beſt endeavour to diſcloſe and make known to his Majeſty, his Heirs and Succeſſors, or to the Lord Deputy or Governors for the time being, all Treaſons or Traiterous Conſpiracies which I ſhall know, or hear to be intended againſt his Majeſty or any of them; and I do make this Recognition and Acknowledgment Heartily, and Willingly, and Truly, upon the true Faith of a Chriſtian: So help me* GOD. And that they may erect one or more Univerſities, to be Governed by ſuch Rules and Orders as his Majeſty ſhall appoint: And it is further concluded and agreed, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, that the ſaid Roman Catholick Subjects may erect and keep free Schools for Education of Youth in this Kingdom, any Law or Statute to the Contrary notwithſtanding; all the matters of this Article to be paſſed as Acts of Parliament in the ſaid next Parliament.

8. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, That places of Command, Honour, Profit, and Truſt in his Majeſty's Armies in this Kingdom, ſhall be upon perfection of theſe Articles actually, and by particular inſtances conferred upon his Roman Catholick Subjects of this Kingdom; And that upon the diſtribution, conferring and diſpoſal of the places of Command, Honour, Profit and Truſt in his Majeſty's Armies in this Kingdom, for the future no difference ſhall be made between the ſaid Roman Catholicks, and other his Majeſty's Subjects, but that ſuch diſtribution ſhall be made with equal indifferency, according to their reſpective Merits and Abilities; And that all his Majeſty's Subjects of this Kingdom, as well Roman Catholicks as others, ſhall for his Majeſty's Service and their own ſecurity, Arm themſelves the beſt they may, wherein they ſhall have all fitting encouragement; and that places of Command, Honour, Profit and Truſt in Civil Government in this Kingdom, ſhall be, upon paſſing of the Bills, in theſe Articles mentioned, in the next Parliament, actually and by particular inſtances conferred upon his Majeſty's Roman Catholick Subjects of this Kingdom, And that in the Diſtribution, conferring and diſpoſal of the places of Command, Honour, Profit and Truſt, in the Civil Government for the future, no difference ſhall be made between the ſaid Roman Catholicks and others his Majeſtys Subjects, but that ſuch diſtribution ſhall be made with equal indifferency, according to their reſpective Merits, and Abilities, and that in the diſtribution of Miniſterial Offices, or places which now are, or hereafter ſhall be void in this Kingdom, equality ſhall be uſed to the Roman Catholick natives of this Kingdom, as to other his Majeſty's Subjects; That the Command of Forts, Caſtles, Garriſons, Towns, and other Places of importance in this Kingdom, ſhall be conferred upon his Majeſty's Roman Catholick Subjects *Dec.* 22.

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jects of this Kingdom upon perfection of theſe Articles, actually and by particular inſtances, and that in the diſtribution, conferring and diſpoſal of the Forts, Caſtles, Garriſons, Towns and other places of Importance in this Kingdom, no difference ſhall be made between his Majeſty's Roman Catholick Subjects of this Kingdom, and other his Majeſty's Subjects, but that ſuch diſtribution ſhall be made with equal indifferency, according to their reſpective Merits and Abilities.

9. *Item*, It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, That his Majeſty will accept of the yearly Rent or annual Sum of Twelve Thouſand Pounds Sterling, to be applotted with indifferency and equality, and conſented to be paid to his Majeſty his Heirs and Succeſſors in Parliament, for and in lieu of the Court of Wards in this Kingdom, *Tenures in Capite, common Knights-ſervice*, and all other Tenures within the cognizance of that Court, and for and in lieu of all Wardſhips, primer Seiſins, Fines, Ouſterlemains, Liveries, Intruſions, Alienations, Meſne-rates, Reliefs, and all other Profits, within the cognizance of the ſaid Court, or incident to the ſaid Tenures or any of them, or Fines to accrew to his Majeſty, by reaſon of the ſaid Tenures or any of them, and for, and in lieu of Reſpites, and Iſſues of Homage, and Fines for the ſame; And the ſaid yearly Rent being ſo applotted and conſented unto in Parliament as aforeſaid, then a Bill is to be agreed on in the ſaid Parliament, to be paſſed as an Act, for the ſecuring of the ſaid yearly Rent, or annual Sum of Twelve Thouſand Pounds, to be applotted as aforeſaid, and for the Extinction and taking away of the ſaid Court, and other matters aforeſaid in this Article contained; And it is further agreed, that reaſonable Compoſitions ſhall be accepted for Wardſhips fallen ſince the 23. of *October* 1641. and already granted; And that no Wardſhips fallen, and not granted, or that ſhall fall, ſhall be paſt, until the ſucceſs of this Article ſhall appear; And if his Majeſty be Secured as aforeſaid, Then all Wardſhips fallen ſince the ſaid 23. of *October*, are to be included in the agreement aforeſaid, upon Compoſition to be made with ſuch as have grants as aforeſaid, which Compoſition to be made, with the grants ſince the time aforeſaid, is to be left to indifferent Perſons, and the umpirage to the ſaid Lord Lieutenant his Majeſty's Commiſſioner.

10. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that no Nobleman or Peer of this Realm in Parliament ſhall be hereafter capable of more Proxies than two, and that blank Proxies ſhall be hereafter totally diſallowed, and that if ſuch Noblemen or Peers of this Realm as have no Eſtates in this Kingdom do not within five years, to begin from the concluſion of theſe Articles, Purchaſe in this Kingdom as followeth, *viz. A Lord Baron two hundred pounds* per annum, *a Lord Viſcount four hundred pounds* per annum, *and an Earl ſix hundred pounds ſter.* per annum, ſhall loſe their Votes in Parliament until ſuch time as they ſhall afterwards acquire ſuch Eſtates reſpectively; And it is further agreed, that none be admitted into the Houſe of Commons but ſuch as ſhall be Eſtated, and Reſident within this Kingdom.

11. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that as for and concerning the Independency of the Parliament of *Ireland* on the Parliament of *England*, his Majeſty will leave both Houſes of Parliament in this Kingdom to make ſuch Declaration therein as ſhall be agreeable to the Laws of the Kingdom of *Ireland*.

12. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, That the Council Table ſhall contain it ſelf within its proper bounds in handling matters of State and Weight fit for that place, amongſt which, the Patents of Plantation, and the Offices whereupon thoſe Grants are founded, are to be handled as matters of State, and be Heard and Determined by the Lord Lieutenant or other chief Governour or Governours for the time being and the Council, publickly at the Council Board, and not otherwiſe; but Titles between Party and Party, grown after theſe Patents granted, are to be left to the ordinary courſe of Law; and that the Council Table do not hereafter intermeddle with common buſineſs that is within the cognizance of the ordinary

dinary Courts, nor with the altering of Poſſeſſions of Lands, nor make, nor uſe private Orders, Hearings, or References concerning any ſuch matter, nor grant any Injunction or Order for ſtay of any Suits in any Civil Cauſe, and that Parties grieved, for or by reaſon of any proceedings formerly had there, may commence their ſuits and proſecute the ſame, in any of his Majeſt y's Courts of Juſtice or Equity, for remedy of their pretended Rights, without any reſtraint or interruption from his Majeſty, or otherwiſe by the chief Governour or Governours and Council of this Kingdom.

13. *Item*, It is further concluded, granted and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that as for and concerning one Statute made in this Kingdom in the eleventh year of the Reign of Queen *Elizabeth*, intituled, *An Act for ſtaying of Wooll, Flocks, Tallow*, and other neceſſaries within this Realm, and one other Statute made in the ſaid Kingdom in the 12 year of the ſaid Queen, intituled, *An Act*,——————And one other Statute, made in the ſaid Kingdom in the 13 year of the Reign of the ſaid late Queen, intituled, *An explanation of the Act made in a Seſſion of this Parliament for the ſtaying of Wooll, Flocks, Tallow, and other Wares and Commodities* mentioned in the ſaid Act, and certain Articles added to the ſame Act, All concerning Staple or Native Commodities of this Kingdom, ſhall be repealed, excepting for Wooll and Wooll fells, and that ſuch indifferent Perſons, as ſhall be agreed on by the ſaid Lord Lieutenant, and the ſaid Lord Viſc. *Mountgarret*, *Donogh Lord Viſcount Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh Rely*, *Tirlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Garrald Fennell*, and *Geffery Brown* Eſquires, or any five or more of them, ſhall be Authorized by Commiſſion under the Great Seal, to Moderate and Aſcertain the Rates of Merchandiſe to be Exported, or Imported, out of, or into this Kingdom, as they ſhall think fit.

14. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that care be had, that the chief Governour, or Governours of this Kingdom for the time being, ſhall not continue in thoſe Places longer than he ſhall find for the good of his People here, and that they ſhall be inhibited to make any Purchaſe other than by Leaſe for Proviſion of their Houſes, during the time of their Government.

15. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that an Act of Oblivion ſhall be paſſed in the next Parliament, to extend unto all his Majeſties Subjects of this Kingdom and their adherents, of all Treaſons and Offences, Capital, Criminal, and Perſonal, and other offences of what Nature, Kind, or Quality ſoever, in ſuch manner, as if ſuch Treaſons or Offences had never been committed, perpetrated, or done, That the ſaid Act do extend to the Heirs, Children, Kindred, Executors, Adminiſtrators, Wives, Widdows, Dowagers, and Aſſigns of ſuch of the ſaid Subjects, and their adherents, who died on, or ſince the 23. of *October* 1641. That the ſaid Act do relate to the firſt day of the next Parliament; That the ſaid Act do extend to all Bodies Politick, and Corporate, and their reſpective Succeſſors, and unto all Cities, Burroughs, Countries, Barronies, Hundreds, Towns, Villages, Tythings, and every of them within this Kingdom, for and concerning all and every of the ſaid offences, or any other offence or offences, in them or any of them committed or done, by his Majeſty's ſaid Subjects or their adherents, or any of them, in, or ſince the 23. of *October* 1641. That this Act ſhall extend to Piracies and all other Offences, committed upon the Sea by his Majeſty's ſaid Subjects, or their adherents, or any of them, That in this Act of Oblivion, words of Releaſe, Acquittal, and Diſcharge, be inſerted; That no Perſon or Perſons, Bodies Politick or Corporate, Countries, Cities, Burroughs, Barronies, Hundreds, Towns, Villages, Tythings, or any of them within this Kingdom, included within the ſaid Act, be Troubled, Impeached, Sued, Inquieted, or Moleſted, for, or by reaſon of any Offence, matter or thing whatſoever, comprized within the ſaid Act, and the ſaid Act ſhall extend to all Rents, Goods and Chattels taken, detained, or grown due, to the Subjects of the one ſide to the other, ſince the 23. of *October* 1641. to the Date of theſe Articles, and alſo to all Cuſtoms, Rents, Arrears of Rents, Prizes, Recognizances, Bonds, Fines,

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Fines, Forfeitures, Penalties, and to all other Profits, Perquiſites, and Dues, which were due, or did, or ſhould, accrue to his Majeſty on, before or ſince, the 23 of *October* 1641. until the perfection of theſe Articles, and likewiſe to all meſne-rates, Fines, of what nature ſoever, Recognizances, Judgments, Executions thereupon, and Penalties whatſoever, and to all other Profits due to his Majeſty ſince the ſaid 23. of *October* and before until this preſent, for, by reaſon, or which lay within the ſurvey or cognizance of the Court of Wards; and alſo to all Reſpites, Iſſues of Homage, and Fines for the ſame, Provided this ſhall not extend to Diſcharge or Remit any of the King's Debts, or Subſidies, due before the ſaid 23. of *October* 1641. which were then, or before, levyed, or taken by Sheriffs, Commiſſioners, Receivers, or Collectors, and not then, or before accounted for, or ſince diſpoſed to publick uſe of the ſaid Roman Catholick Subjects, but that ſuch Perſons may be brought to account for the ſame, after full ſettlement in Parliament and not before; Provided that ſuch Barbarous, and Inhuman Crimes, as ſhall be particularized, and agreed upon, by the ſaid Lord Lieutenant, and the Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip Mac Hugh Reily*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerald Fennell*, and *Geffery Brown* Eſquires, or any five or more of them, as to the Actors, and Procurers thereof, be left to be Tried and Adjudged by ſuch indifferent Commiſſioners as ſhall be agreed upon by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſc. *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip Mac Hugh O Reiley*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerald Fennell*, and *Geffery Brown* Eſquires, or any five or more of them, and that the power of the ſaid Commiſſioners ſhall continue only for two years next enſuing the date of theſe preſent Articles; Provided alſo that the Commiſſioners to be agreed on for Tryal of the ſaid particular Crimes to be Excepted, ſhall Hear, Order, and Determine all Caſes of Truſt, where relief may or ought in Equity to be afforded againſt all manner of Perſons according to the Equity and Circumſtances of every ſuch Caſes; And his Majeſty's Chief Governour, or Governours, and other Governours and Magiſtrates for the time being, and all his Majeſty's Courts of Juſtice, and other his Majeſty's Officers, of what condition or quality ſoever, be bound and required to take notice of, and purſue the ſaid Act of Oblivion, without Pleading or Suit to be made for the ſame; And that no Clerk or other Officers do make out, or write out, any manner of Writs, Proceſſes, Summons, or other Precept, for, concerning, or by reaſon of any matter, cauſe, or thing whatſoever, Releaſed, Forgiven, Diſcharged, or to be forgiven by the ſaid Act, under pain of twenty Pound Sterling; And that no Sheriff or other Officer do execute any ſuch Writ, Proceſs, Summons, or Precept; And that no Record, Writing, or Memory, do remain of any Offence, or Offences, releaſed, or forgiven, or mentioned to be forgiven by this Act. And that all other cauſes uſually inſerted in Acts of General Pardon or Oblivion, enlarging his Majeſty's Grace, and Mercy, not herein particularized, be inſerted and comprized, in the ſaid Act, when the Bill ſhall be drawn up, with the Exceptions already expreſſed, and none other; Provided always, that the ſaid Act of Oblivion ſhall not extend unto any Treaſon, Fellony, or other Offence or Offences, which ſhall be committed or done from or after the date of theſe Articles, until the firſt day of the before mentioned next Parliament to be held in this Kingdom; Provided alſo, that any Act or Acts which ſhall be done by virtue, pretence, or in purſuance, of theſe Articles or any of them, after the Publication of the ſaid Articles, or any Act or Acts which ſhall be done by virtue, colour, or pretence, of the Power, or Authority uſed, or exerciſed, by and amongſt the confederat Roman Catholicks, after the date of theſe Articles, and before the ſaid Publication, ſhall not be accounted, taken, conſtrued, or be Treaſon, Fellony, or other Offence, to be excepted out of the ſaid Act of Oblivion, Provided likewiſe that the ſaid Act of Oblivion ſhall not extend unto any Perſon or Perſons, that will not Obey and Submit unto the Peace, concluded, and agreed on, by theſe Articles.

16. *Item*,

22 *Caroli.*

16. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that an Act be paſſed in the next Parliament, prohibiting that neither the Lord Deputy, or other chief Governor, Governors, Lord Chancellor, Lord high Treaſurer, vice Treaſurer, Chancellor, or any of the Barrons of the Exchequer, Privy Council, or Judges of the four Courts, be Farmers of his Majeſty's Cuſtoms within this Kingdom.

17. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that an Act of Parliament paſs in this Kingdom againſt Monopolies, ſuch as was enacted in *England* 21. *Jacobi Regis*, with a further Clauſe of Repealing of all Grants of Monopolies in this Kingdom, and that Commiſſioners be agreed upon by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffry Browne* Eſquires, or any five or more of them, to ſet down the Rates for the Cuſtom, or Impoſition to be laid on *Aqua-vitæ*, Wine, Oyle, Yarn, and Tobacco.

18. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that ſuch Perſons as ſhall be agreed on by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen*, Knight; Sir *Lucas Dillon*, Knight; *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffry Browne*, Eſquires; or any five or more of them, ſhall be upon concluſion of theſe Articles, Authorized by Commiſſion under the great Seal, to Regulate the Court of Caſtle Chamber, and ſuch Cauſes as ſhall be brought into, and cenſured in the ſaid Court.

19. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that two Acts lately paſſed in this Kingdom, prohibiting *the Plowing with Horſes by the tale, and the other prohibiting the burning of Oates in the Straw*, be repealed.

20. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that upon perfection of theſe Articles ſuch courſe ſhall be taken againſt ſuch who have diſobeyed the Ceſſation, and will not ſubmit to the Peace, if any ſhall Oppoſe it, as ſhall be juſt, and for the Peace of the Kingdom.

21. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, foraſmuch as upon application of Agents from this Kingdom unto his Majeſty in the fourth year of his Reign, and lately upon humble Suit made unto his Majeſty by a Committee of both Houſes of the Parliament of this Kingdom, Order was given by his Majeſty for Redreſs of ſeveral Grievances, and for ſo many of thoſe as are not expreſſed in theſe Articles, whereof both Houſes in the next enſuing Parliament ſhall deſire the benefit of his Majeſty's ſaid former directions for Redreſſes therein, that the ſame be afforded them, yet ſo, as for prevention of inconveniences to his Majeſty's Service, that the warning mentioned the 21. Article of the Graces, in the fourth year of his Majeſty's Reign, be ſo underſtood that the Warning being left at the Perſons dwelling houſes, be held ſufficient Warning, and that, as to the 22. Article of the ſaid Graces, the Proceſs hitherto uſed in the Court of Wards do ſtill continue as hitherto it hath done in that, and hath been uſed in other *Engliſh* Courts, but the Court of Wards being compounded for, ſo much of the aforeſaid Anſwer as concerns Warning, and Proceſs, ſhall be omitted.

22. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that Maritime Cauſes may be determined in this Kingdom, without driving of Merchants or others to Appeal, and ſeek Juſtice elſewhere; and if it ſhall fall out that there be a cauſe of an Appeal, the Party grieved is to appeal to his Majeſty in the Chancery of *Ireland*, and the Sentence thereupon to be given by the Delegates, to be Definitive, and not to be queſtioned upon any further Appeal, except it be in the Parliament of this Kingdom, if the Parliament ſhall then be ſitting, otherwiſe not. This to be by Act of Parliament.

23. *Item*, It is further concluded, accorded and agreed, by and between the ſaid Parties, And his Majeſty out of his abundant grace and goodneſs to

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his Subjects of this Kingdom is graciouſly pleaſed to aſſent, that his ſaid Subjects be eaſed of the increaſe of Rents lately raiſed on them upon the Commiſſion of Defective Titles, in the Earl of *Strafford*'s Government, this to be by Act of Parliament.

24. *Item*, It is further concluded, accorded, and agreed upon, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that by Act to be paſſed in the next Parliament, all the Arrears of Intereſt of Money which did accrew, or grow due by way of Debt, Mortgage, or otherwiſe, and yet not ſatisfied, ſince the 23 of *October*, 1641. Until the perfection of theſe Articles ſhall be fully forgiven and be releaſed; and that for and during the ſpace of three Years next enſuing, no more ſhall be taken for uſe, or intereſt of Money, than five pounds *per Cent.* and in all Caſes of Equity ariſing through Diſability, occaſioned by the diſtempers of thoſe times, the conſiderations of Equity to be alike unto both Parties.

25. *Item*, It is concluded, accorded, and agreed, by and between the ſaid Parties, And his Majeſty is graciouſly pleaſed, that the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Pluncket*, *Richard Bellings*, *Philip mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleminge*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffry Brown* Eſquires, ſhall be immediately upon concluſion of theſe Articles, Authorized by Act of State to proceed in, Hear, Determin, and Execute within the Cities, Corporate Towns, Counties, and part of Counties, now, or late, within the Quarters of the ſaid Confederate Catholicks, the enſuing Particulars, and all matters thereupon depending, And that the ſaid Act of State, and other the Authorities hereafter mentioned ſhall remain of force without Revocation, Alteration, or Diminution, until Acts of Parliament be paſſed according to the purport and intent of theſe preſent Articles; only in caſe of Death of any of the ſaid Perſons ſo to be authorized, the Lord Lieutenant, or other chief Governour, or Governours of this Kingdom for time being, ſhall by the advice and conſent of the Perſons ſo to be authorized, then living, or any five or more of them, name others in the Place of ſuch who ſhall be ſo dead, and the Perſons ſo to be named, to be Authorized as the former, And that the Perſons to be Authorized as aforeſaid, or any five or more of them be permitted without interruption to Applot, Raiſe and Levy Means with indifferency and equality, upon all his Majeſties Roman Catholick Subjects of this Kingdom, for the Raiſing, Cloathing, and bringing to Sea-Ports, and Maintaining there, until they be ſhipped, ten thouſand Men promiſed by the Confederate Catholicks of this Kingdom to aſſiſt his Majeſty, and to levy the Arrears of all Exciſes, and other Publick Taxes already impoſed by them, and yet unpaid; and to call all Receivers and other Accomptants of all former Taxes and publick Dues, to a juſt and ſtrict Accompt, either by themſelves, or by ſuch as they, or any five or more of them ſhall name and appoint, And that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them ſhall have power to Applot, Raiſe, and Levy Means with indifferency and equality, by way of Exciſes, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and parts of Counties now within the Quarters of the ſaid Confederate Catholicks, towards the maintenance of ſuch Army or Armies as ſhall be thought fit to continue, and be in Pay, for the defence of the Kingdom, and towards the maintenance of all the Forts, Caſtles, and Garriſons within both, or either of the now Quarters of either Party, other than ſuch of the ſaid Garriſons, Forts, and Caſtles, as from time to time, until there be a ſettlement in Parliament, ſhall be thought fit by his Majeſties chief Governour, or Governours of this Kingdom for the time being, by and with the advice and conſent of the ſaid Perſons ſo to be authorized, or any five or more of them, not to be maintained at the charge of the Publick, provided that his Majeſties Lieutenant, or other chief Governours for the time being, be firſt made acquainted with ſuch Taxes, Levies, and Exciſes as ſhall be made, and the manner of Levying thereof, and that he approve the ſame, And that the Perſons to be authorized as aforeſaid, or any five or more of them, ſhall be authorized to appoint Receivers, Collectors, and all other Officers, for ſuch Monies as ſhall be ſo aſſeſſed, and for the Arrears of all former Applotments, Taxes, and other publick Dues yet unpaid, And that the Perſons ſo to be authorized, or any five or more of them,

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them, in caſe of Refractorineſs, or Delinquency, may Diſtrain, and Impriſon, and cauſe ſuch Delinquents to be diſtrained or impriſoned, and that the profits of the Eſtates, within the now Quarters of the Confederate Catholicks, of ſuch as ſhall adhere to the Parliament, and not ſubmit to the Peace, be accompted as publick Dues, and be converted to the maintenance of the Kings Army: And that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, ſhall have power to Applot, Raiſe, and Levy Means with indifferency and equality, for the buying of Arms and Ammunition, and for entertaining of Friggots, in ſuch proportion and manner as ſhall be thought fit by his Majeſties Lieutenant, or other chief Governour, or Governours, for the time being, by and with the advice and conſent of the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffry Brown*, Eſquires, or any five or more of them: The ſaid Arms and Ammunition, to be laid up in ſuch Magazines, and under the charge of ſuch Perſons as ſhall be agreed, by the ſaid Lord Lieutenant, and the ſaid Perſons to be authoriſed as aforeſaid, or any five or more of them, and to be iſſued, and the ſaid Frigots to be employed, by the Lord Lieutenant, or other chief Governour, or Governours for the time being, for the ſafety of the Kingdom, by the advice and conſent of the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffry Brown*, or any five or more of them: And that the ſaid Perſons ſo to be authorized as aforeſaid, or any five or more of them ſhall have power to Applot, Raiſe, and Levy Means with indifferency and equality, by way of Exciſes, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and parts of Counties, now within the Quarters, and upon the Eſtates of the ſaid Confederate Catholicks, all ſuch ſum and ſums as ſhall appear unto the ſaid Perſons, to be authorized as aforeſaid, or any five or more of them, to be really due, for, and in diſcharge of the publick Engagements of the ſaid Confederate Catholicks, incurred or grown due before the Concluſion of theſe Articles, and that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, ſhall have power to Applot, Raiſe, and Levy Means with indifferency and equality, by way of Exciſe, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and parts of Counties, now within the Quarters of the ſaid Confederate Catholicks, as well for the Perſons to be authorized as aforeſaid, and alſo for ſuch other Perſon and Perſons as ſhall be imployed in publick Affairs within the ſeveral Cities, Corporate Towns, Counties, and parts of Counties within the now Quarters of the ſaid Confederate Catholicks, from time to time, until a ſettlement by Parliament, and that the ſaid Perſons to be Authorized as aforeſaid, or any five or more of them, make perfect Books of all ſuch Monies as ſhall be Applotted, Raiſed, and Levied, out of which Books they are to make ſeveral and reſpective Abſtracts, to be delivered under their Hands, or the Hands of any five or more of them, to the ſeveral and reſpective Collectors, who ſhall be appointed to Levy, and Receive the ſame; and that a duplicate of the ſaid Books, under the Hands of the ſaid Perſons to be authorized as aforeſaid, be delivered unto his Majeſties Lieutenant, or other chief Governour or Governours for the time being, whereby a perfect accompt might be given.

26. *Item*, It is further concluded, accorded, and agreed, by and between the ſaid Parties, And his Majeſty is graciouſly pleaſed, That for the preſervation of the Peace, and Tranquillity of the Kingdom, that the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffry Brown* Eſquires, or any five or more of them, ſhall for the preſent, agree upon ſuch Perſons who are to be authorized by Commiſſion under the great Seal, to be Commiſſioners of the Peace, *Oyer* and *Terminer*, and Goal delivery, in the ſeveral Counties, and parts of Counties, within the now Quarters of the Confederate Catholicks, with ſuch power as Juſtices of the Peace, *Oyer* and *Terminer*, and

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Goal delivery, in former times of Peace, have uſual had; which is not to extend unto any Crime, or Offence, committed before the 15. of *September* 1643. And to be qualified with Power to Hear and Determine all Civil Cauſes coming before them not exceeding ten Pounds; Provided that they ſhall not intermeddle with Titles of Lands; Provided likewiſe the authority of ſuch Commiſſioners ſhall not extend, to queſtion any Perſon or Perſons, for any Cattle or Goods, heretofore taken by either Party from the other, contrary to the Articles of Ceſſations, but that the ſame ſhall be left to be determined in ſuch way, as by theſe Articles is already preſcribed, which Commiſſioners are to continue till ſettlement by Parliament, *Si tam diu ſe bene geſſerint*, And if any who ſhall be ſo intruſted, ſhall misbehave himſelf in the execution of ſuch truſt, within that time, that then ſuch other Perſon or Perſons ſhall be appointed in his or their place, as ſhall be agreed on by his Majeſty's chief Governour, or Governours for the time being, by the Advice and Conſent of the ſaid Perſons ſo to be intruſted, or any five or more of them, and the ſaid Commiſſioners are to make their Eſtreats as accuſtomed in time of Peace, and ſhall take the enſuing Oath, *viz. You ſhall ſwear that as Juſtice of the Peace*, Oyer *and* Terminer, *and Goal delivery, in the Countries of A. B. C. in all Articles of the King's Commiſſion to you directed, you ſhall do equal right to the poor and to the rich, after your Cunning, Wit, and Power, and after the Laws and Cuſtoms of the Realm, and in purſuance of theſe Articles; and you ſhall not be of Council of any quarrel hanging before you, And the Iſſues, Fines, and Amerciaments, which ſhall happen to be made, and all Forfeitures which ſhall happen before you; You ſhall cauſe to be enter'd without any concealment, or imbezeling, and truly ſend to the King's Exchequer; You ſhall let for gift, or other cauſe, but well and truly you ſhall do your Office of Juſtice of the Peace*, Oyer *and* Terminer, *and Goal delivery in that behalf, and that you take nothing for your Office of Juſtice of the Peace*, Oyer *and* Terminer, *and Goal delivery to be done, but of the King, and Fees accuſtomed; And you ſhall not direct, or cauſe to be directed, any Warrant by you to be made to the Parties, but you ſhall direct them to the Sheriffs, and Bayliffs of the ſaid Counties reſpectively, or other the King's Officers, or Miniſters, or other indifferent Perſons to do Execution thereof, So help you God.* And that as well in the ſaid Commiſſion, as in all other Commiſſions and authorities, to be iſſued in purſuance of theſe preſent Articles, this Clauſe ſhall be inſerted, *viz.* That all Officers, Civil and Marſhal, ſhall be required to be aiding and aſſiſting, and obedient unto the ſaid Commiſſioners, and other Perſons to be authorized as aboveſaid in the execution of their reſpective Powers.

27. *Item*, It is further Concluded, accorded, and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, That none of the now Roman Catholick Party ſhall from henceforth, until there be a ſettlement by Parliament, Sue, Implead, or Arreſt, or be Sued, Impleaded, or Arreſted in any Court, Place, Judicature, or Tribunal, or before any Judge, Juſtice, or Commiſſioner whatſoever, other than before the Commiſſioners aforeſaid, or in the ſeveral Corporations, or other Judicatures, within the now Quarters of the ſaid Confederate Catholicks, as hath, or have Power derived from his Majeſty.

28. *Item*, It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that his Majeſty's Confederate Catholick Subjects do continue the poſſeſſion, of ſuch of his Majeſty's Cities, Garriſons, Towns, Forts, and Caſtles, which are within their now Quarters, until ſettlement by Parliament, and to be Commanded, Ruled and Governed in chief, by ſuch as his Majeſty or his chief Governour or Governours of this Kingdom for the time being ſhall Appoint, and his Majeſty his chief Governour, or Governours of this Kingdom as aforeſaid, is to iſſue Commiſſions, and appoint ſuch Perſon, or Perſons, as ſhall be named by his Majeſty's chief Governour, or Governours for the time being, by, and with the advice and conſent of the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh O Rely*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, or any five or more of them, for the execution of ſuch Command, Rule or Government, to continue until all the Particulars in theſe

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theſe preſent Articles agreed on to paſs in Parliament, ſhall be accordingly paſſed; only in caſe of death, or Misbehaviour, ſuch other Perſon or Perſons to be appointed for the ſaid Command, Rule, and Government to be named and appointed in the Place, or places, of him, or them, who ſhall ſo die or Misbehave themſelves, as the chief Governour or Governours, for the time being, by the advice and conſent of the ſaid Lord Viſcount *Mountgarret*, and the reſt of the above mentioned Parties to be authorized as aforeſaid, or any five or more of them, ſhall think fit, and to be continued until ſettlement in Parliament, as aforeſaid.

29. *Item*, It is further concluded, accorded, and agreed, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, That all Cuſtoms belonging to his Majeſty which from the perfection of theſe preſent Articles ſhall fall due within this Kingdom, ſhall be paid into his Majeſty's Receipt, and to his uſe, any Requeſt, Clauſe, or Demand, in the Act of Oblivion, or in any other former Propoſitions to the contrary notwithſtanding; Provided that all and every Perſon and Perſons, who are at the preſent intruſted within the now Quarters of the Confederate Catholicks, by them the ſaid Confederate Catholicks in the Entries, Receipts, Collections, or otherwiſe concerning the ſaid Cuſtoms, do continue their reſpective Imployments in the ſame, until full ſettlement in Parliament; other than as to ſuch, and ſo many of them, as to the chief Governour, or Governours, for the time being, by the advice and conſent of the ſaid Lord Viſcount *Mountgarret*, and the other Perſons to be authorized as aforeſaid, or any five or more of them ſhall be thought fit to be altered, and then, and in ſuch caſe, or in caſe of death, or misbehaviour, or other alteration, of any ſuch Perſon or Perſons, ſuch other Perſon or Perſons to be imployed as ſhall be thought fit, by the chief Governour or Governours for the time being, by, and with the advice and conſent of the ſaid Lord Viſcount *Mountgarret*, and the reſt of the Perſons to be authorized as aforeſaid, or any five or more of them; And as to his Majeſty's Rents to grow due, at *Eaſter* next, and from thenceforth, the ſame to be payable unto his Majeſty notwithſtanding any thing contained in the Article of the Act of Oblivion, or in any other Article to the contrary, but the ſame not to be Written for, or Levyed, until a full ſettlement in Parliament, as aforeſaid.

30. *Item*, It is further concluded, accorded, and agreed, by and between the ſaid Parties, And His Majeſty is further graciouſly pleaſed, That the Commiſſioners of Oyer and Terminer, and Gaol delivery, to be named as aforeſaid, ſhall have Power to hear and determine all Murthers, Manſlaughters, Rapes, Stealths, Burning of Houſes, and Corn in Reeke, or Stacks, Robberies, Burglaries, forcible Entries, Detainers of Poſſeſſions, and other Offences, committed, or done, and to be committed and done from the 15 day of *September*, 1643. until the firſt day of the next Parliament. Theſe preſent Articles, or any therein contained to the contrary notwithſtanding; Provided that the Authority of the ſaid Commiſſioners ſhall not extend to queſtion any Perſon, or Perſons, for doing or Committing any Act whatſoever before the concluſion of this Treaty by virtue or colour of any Warrant or direction from thoſe in publick Authority among the Confederate Catholicks; nor unto any Act which ſhall be done after the perfecting and concluding of theſe Articles by virtue of pretence of any authority, which is now by theſe Articles agreed on; Provided alſo the ſaid Commiſſion ſhall not continue longer then to the firſt day of the next Parliament. In witneſs whereof his Excellency the Marqueſs of *Ormond*, Lord Lieutenant of *Ireland* his Majeſty's Commiſſioner to that part of theſe Articles remaining with the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot*, Baronet; *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Eſquires; And the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot*, Baronet; *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Eſquires; to that part of theſe Articles remaining with the ſaid Lord Lieutenant, have put their hands and ſeals at *Dublin* this 28 day of *July*, 1646. and in the two and Twentieth year of the Reign of our Sovereign King *Charles* King of Great *Brittain*, *France* and *Ireland*, &c.

May

An. 1646.

The Remonſtrance of the Proteſtant Clergie to the Marqueſs of Ormond, *upon Concluſion of the Peace with the* Iriſh, 1646.

May it pleaſe your Excellency,

WE *Archbiſhops, Biſhops, and the reſt of the Clergie of the Kingdom of* Ireland, *Subſcribing, are wonderful ſenſible how your Excellency (out of Zeal to Gods glory, and the Proteſtant Religion, and out of Loyalty to his Majeſty) hath in this great Diſtemper, with much Hazard, ſingular Wiſdom, and vigilant Care, preſerved not only in this City, but alſo in all the out-Garriſons, the free and full Exerciſe of the true Reformed Religion, according to the Liturgie and Canons ſo many years received in the Church, which (with bleeding Hearts we may ſay) is more than we know to be in any other part of the three Kingdoms. As alſo that we do moſt Heartily acknowledge, that by your very great pains and labour you have at laſt concluded a moſt neceſſary Peace, which we humbly conceive* to be the only means to continue theſe great bleſſings of Religion and Loyalty amongſt us, and to be the only hopeful way to reduce this whole Kingdom to his Majeſty's Obedience.

And withal we do moſt ingeniouſly profeſs, That out of your Piety and Nobleneſs you have vindicated our Callings and Places from Contempt, and protected us from perſonal Injuries, and provided a Subſiſtence for us, without which many of us had undoubtedly ſtarved.

Out of the deep ſenſe of all which, and many more favours than we are able to expreſs, we were the moſt unthankful of all men, if we ſhould not praiſe God for your Excellency, and return to you our moſt humble and hearty thanks; faithfully promiſing to continue our fervent Prayers to God, and our very beſt endeavours for ſtrengthning your hands in managing the great Truſt his Majeſty repoſeth in you, and in maintaining Religion and the Peace now eſtabliſht amongſt us.

Having made this juſt and neceſſary Remonſtrance of our Gratitude and Reſolutions, we do moſt humbly beſeech your Lordſhip to continue (as we are very confident you will) your Care to preſerve the Religion, Book of Service, publick worſhip, in the decency and comelineſs thereof, and the true Apoſtolical Government of the Church now exerciſed amongſt us, againſt all oppoſitions whatſoever. And graciouſly to perſiſt in your Care to provide ſome competent maintenance for us, till we may conveniently return to our Benefices; And if any of our number ſhall be diſaffected to the Religion, Book of Service, publick Worſhip, and Government of the Church, his Majeſty's Service, or diſturbers of the preſent Peace, we do not ſupplicate for ſuch, but leave them to your Lordſhip, to be proceeded with as you ſhall find convenient.

After the Peace thus concluded, the Lord Lieutenant *Ormond* took a Journey himſelf to *Kilkenny*, to expedite the Levies that were promiſed for his Majeſty's Service, where he was received with all ſeeming demonſtrations of Reverence and Eſteem for his Perſon and Character.

The Lord *Digby* accompanied him thither, and remaining there for ſome time, did by a Letter from thence to the Lord *Inchiquin*, endeavour to bring him over to the King's Intereſt. Which Letter and the Anſwer follow.

The Lord Digby's *Letter to the Lord* Inchiquin. *Sept.* 2. 1646.

My Lord,

I have ſeveral times, while I was in England, *endeavoured (tho' unſucceſsfully) to convey unto your Lordſhip this Truth, That amongſt all the Calamities of my Country, and Misfortunes to the King my Maſter, there hath not happened any thing of a more near and perſonal Affliction to me, than the ſeparation from his Service and Intereſt of a Perſon for whom I had ſo high a value, and particular a Friendſhip, as for your Lordſhip, and upon whoſe Affection and Abilities I had founded ſo great a part of my ſolideſt hopes for his Majeſty's Reſtoration.*

And really (my Lord) how oppoſite courſes ſoever we have ſince run, and appear ſtill engaged in; I muſt profeſs that I have ever cheriſht all the Arguments I could poſſibly raiſe to perſwade my ſelf, that either ſome ſtrange miſtakes, or ſome deſperate malice of others, have occaſion'd this ſeparation; and that only the impoſſibility of our meeting to clear them, hath continued it.

Wherefore, my Lord, we being now both upon a Scene, where it will depend meerly upon our own wills to give our ſelves that ſatisfaction, concerning one anothers

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thers Opinions and Actions, (which a much leſs kindneſs than ours was might Challenge) I ſend this not only to invite, but even to conjure your Lordſhip to pay that Duty to former Friendſhip, as to agree of the place, and manner where (upon the mutual ſecurity of our own Honours) I may wait upon you, and enjoy the happineſs of an hour or two's conference with you; from which I hope there may be much Advantage produced to the publick, and am moſt aſſured, at leaſt of much ſatisfaction to our ſelves; ſince certainly either I ſhall have ſo much reaſon to work upon you, or yours ſo much power on me, as tho' not to alter my opinion in relation to the publick, yet ſo far to enlighten me in what concerns my own particular, as not to let my publick engagements in the contrary way, be any longer any impediment to my reſuming in a private one, the Affection wherewith I was formerly,

My Lord,

Kilkenny Sept. 2. 1646. Your Lordſhips moſt Affectionate Humble Servant, *George Digby.*

The Lord *Inchiquin's* Anſwer, *Sept.* 9th.

My Lord,

THE place you are now in, whom I know to be a Perſon in whom his Majeſty repoſed ſo much Truſt, and the Peace now concluded by his Majeſty's Authority, to the utter ruin (as I conceive) of all that profeſs the Proteſtant Religion in this Kingdom and ſubmit thereunto; have evidenced to the whole World thoſe juſt Grounds that cauſed my ſeparation from that your Lordſhip is pleaſed to call his Service and Intereſt, tho I aſſure my ſelf it tends to the ruin of both.

I find your Lordſhips opinion in relation to the publick ſo ſettled, that I am not ſo vain as to entertain an hope of altering your Lordſhip by my Reaſons: And I am very ſure (tho' I muſt acknowledge your Reaſon and Abilities to be great) my Reſolutions are built upon ſuch a Foundation as can never be moved. And therefore cannot imagine what Advantage can be derived to the publick by our perſonal meeting, the Honour whereof, I may not (for any particular reſpect) allow my ſelf. And for the private Friendſhip, with the mention whereof you are pleaſed to Honour me) the publick Impediments being removed, I ſhall be ambitious to have it renewed, and ſhall alſo account it an Honour to be eſteemed by you,

My Lord,

Cork *the 9th. of* Sept. 1646. Your Lordſhips moſt Humble Servant, *Inchiquin.*

The *Iriſh* Laiety ſeemed much to Rejoyce at firſt for the late concluded Peace, but the Pope's Nuncio, with many of the Titular Biſhops, conven'd a Congregation of the Clergy at *Waterford* (a Town moſt at their Devotion) where the Titular Biſhop of *Ferns* was Preſident.

Which Congregation began to enveigh againſt the Peace, alledging that it had not ſufficiently provided for the Advancement of Religion, and therefore would not ſuffer it to be Proclaimed in *Waterford*; and ſent their Emiſſaries and Orders to moſt conſiderable Towns to incenſe the People againſt it; inſomuch that when the King at Arms was Proclaiming the ſaid Peace at *Limerick*, accompanied with the Mayor, Aldermen, and chief Citizens, all in their Habits and Formalities, one *Moliſe* a Fryar raiſed a Tumult, which being Headed by one *Dominick Flanning*, a Perſon notorious for many Acts of Blood and Inhumanity in the beginning of the Rebellion, (and afterwards in the Year 1651 hang'd by *Ireton*) violently aſſaulted them, tore the Herald's Coat off his Back, wounded the Mayor and ſeveral of the Magiſtrates of the City, ſome of them almoſt to death; And preſently the Mayor was diſplaced, and the ſaid *Flanning* made Mayor in his Room, to whom the Pope's Nuncio writ Letters, returning him thanks for what he had done, and encouraged him to proceed, giving him his Apoſtolical Benediction, *&c.*

Alſo

An. 1646.

Alſo the Lord Lieutenant, being in his Progreſs to ſettle the Country, coming near the City of *Caſhel*, was advertis'd by the Mayor thereof, that *Owen O Neal*'s Army was marching that way, and had ſent terrible Menaces to that City, if it ſhould preſume to Receive him the ſaid Lord Lieutenant; and ſoon after his Lordſhip found that the ſaid *Owen O Neal* endeavoured to get between him and *Dublin*, to ſurprize and deſtroy him, whereupon his Excellency with all Expedition retreated to *Dublin*, and uſed all Induſtry to put that City in a poſture of Defence. In the mean time, the before-mentioned Congregation, thunder'd out the following Declaration and Fulmination.

A Declaration by the Eccleſiaſtical Congregation of both Clergies of Ireland, *aſſembled together in the Name of the Holy Ghoſt at* Waterford. Before the moſt Reverend Lord, the Arch-Biſhop *Firmans*, the Apoſtolical Legate reſiding in *Ireland.*

Aug. 12. 1646.

CConcerning the Queſtion between us debated, and diſputed on many days together, whether they who accepted a Peace, contained in thirty Articles, tranſmitted to us by the ſupream Council, were to be declared perjured, and conſequently whether they ſhould be excommunicated as perjured Perſons: The Opinions and the Reaſons of every one being firſt heard, and the Writings of ſome Doctors of Divinity read.

It is ordered by one general conſent, and voted by all (no Man gainſaying it,) That all and ſingular Confederate Catholicks, who ſhall adhere to the ſaid Peace, or conſent with the Favourers of it, or after any other manner, ſhall entertain and embrace it, are abſolutely to be accounted Perjured; eſpecially, for this Reaſon, Becauſe in thoſe Articles there is no mention made of the Catholick Religion, and the ſecurity thereof, nor regard had of the conſervation of the priviledges of the Country, as it was promiſed by the Oath, but that all things are rather referred to the Judgment of our moſt renowned King (from whom in this preſent Eſtate, we can have nothing ſetled,) and in the mean time, the Armies, Weapons, and Fortifications, and the ſaid ſupream Council of the Confederate Catholicks it ſelf, are ſubjected to the Authority and Command of the Council of the State, and the Proteſtant Officers of his Majeſty, from whom that he might be ſecure, we have taken that Oath: From which, and many other cauſes moved only by our own Conſciences, and having God before our Eyes, that it may be known to all and ſingular, as well *Iriſh* as Strangers, that we have not, nor will give our conſent to ſuch Peace, except ſafe conditions, as well for our Religion, as for the King, and for the Country, according to our Oath be offered unto us, and that our Flocks, and all our Catholick People, with our Confederate Friends, who in theſe general meetings, have ſometimes asked our advice in this Spiritual Buſineſs, belonging only to a Spiritual Judge, may know certainly what hath been determined by us; to the end, that the godly and faithful Catholicks, obeying their Shepherds and Paſtors, may concur in the ſame ſentence.

We have commanded this Decree to be Written, and publiſhed in all places in the *Engliſh* and the *Iriſh* Tongue, which we have confirmed with our Hands and Seals. But the other Queſtion concerning Excommunication, we have referred until the next Seſſions.

Given at Waterford *the* 12*th Day of* Auguſt, 1646.

JOhn *Baptiſta* Arch-Epiſcopus, *Firmanus* Nuntius Apoſtolicus.

Frater. *Thomas Dublin*, *Thomas Coſſelences*, Arch-Epiſcopus.

Frater. *Boetius Elphan. Fr. Pr. Waterford* and Lis. *John Laoneus* Epiſcopus.

Frater. *John Clauſortinſis*, *Richard Ardſertenſis*, and Acadam Epiſcopus.

Franciſcus Aladencis Epiſcopus.

Emund Lemerecenciis. Fr. Edm. Laghlen, Epiſ. *Emerus Clogherencis*.

Frater. *Nicholas Formenſis*.

Frater.

22 *Caroli.*

Frater. *Jacobus Conald*, Abbas Benehoram.

Frater. *Pr. Plunketus*, Abbas B. M. *Dublin.*

Frater. *Lorentius Fitz. Harris*, Abbas deſurio.

Frater. *John Cantnell*, Abbas de ſancto cruce.

Jacobus Tobin, Abbas de Kilcole.

Robertus Barry, Vicarus Apoſtolicus Roſſenſis.

Frater. *Donaldus Agrippa*, Fuinburences.

Frater. *Gregorus offarel*, prior provincialis ord. Predicate.

Dioniſius O Briſcol, prior provincialis Eremitarum Sancti Auguſtini.

Edmund O Teg, procurator Illuſtriſſ. Armacha in Cornell.

Gualter Lincheus, Vicharius Apoſt. Tuamenſis.

Gulielin: Bargat, Vicar. Apoſt. Immolacenſis.

James Dempſhi. Vicar. Gener. Kilder. Cornel.

Gaſneas Adenſis Vic. Gener.

Oliverus Deiſe, Vic. Gener. Midencis.

Dominicus Roch, Vic. Gener. Corcagiencis.

Symon O Connory, Vic. Gener. Cluonenſis.

Edmund Gerardius, Vic. Gener. Cluonenſis.

Carolus Cogham, Vic. Gener. Cluonenſis.

Frater. *Robertus Nugentius*, ſuperior ſocietatis Jeſu.

Barnabas Barnwal, Commiſſarius Generalis Capucinorum.

A Proclamation from the Biſhop of Oſſory, *excommunicating the Clergy of* Kilkenny, *for adhering to the Peace concluded between the Council and the Marqueſs of* Ormond.

WHereas we have in publick and private Meeting, at ſeveral times declared to the ſupream Council, and others whom it might concern, that it was and is unlawful, and againſt Conſcience; yea, implying Perjury (as it hath been deſigned by a ſpecial Act of the Convocation now at *Waterford*) to do or concur to any Act tending to the approbation or countenancing of the publication of this unconſcionable and miſchievous Peace, ſo dangerous (as it is now Articled) to both Common-Wealths, Spiritual and Temporal, but more particularly to the Spiritual.

And whereas, notwithſtanding our Declaration of the whole Clergy of the Kingdom to the contrary, the ſupream Council and Commiſſioners have actually proceeded to the Proclamation of it, yea, and forced on the City by terrour and threats, rather than by any free conſent, or deſire of the People.

We having duly conſidered, and taken to heart, as it becometh, how envious this Fact both is, and appears in Catholicks, even againſt God himſelf, And what publick contempt of the holy Church it appeareth, beſides the evils it is like to draw on this poor Kingdom.

After mature deliberation, and conſent of our Clergy (in deteſtation of this heinous and ſcandalous diſobedience of the ſupream Council) and others who adhere unto them, in a matter of Conſcience towards the holy Church, and in hatred to ſo wilful and abominable an Act, do by theſe preſents (according to the preſcription of ſacred Canons) pronounce and command (from henceforth) a general Ceſſation of divine Offices throughout all the City and Suburbs of *Kilkenny*, in all Churches, Monaſteries, and Houſes in them whatſoever.

Given at Our Palace of Nova Curia, *the 18th day of* Auguſt, 1646.

The *Iriſh* were ſo overaw'd with theſe Bugbears of their Clergy, that they committed and delegated the intire and abſolute Power of Governing and Commanding, as well in Secular as Eccleſiaſtical Matters to the Pope's Nuncio, who committed to Priſon the *Iriſh* Commiſſioners that had tranſacted the Treaty; and ſo ſoon after drew General *Preſton* and his Army to join with him, cauſing the following Oath to be taken of all his Adherents.

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An Oath adminiſtred againſt the Peace.

I A. B. *Swear and Proteſt, That I will adhere to the preſent Union of the Confederate Roman Catholicks, that reject the Peace lately Agreed and Proclaimed at* Dublin, *and do nothing by Word, Deed, Writing, or otherwiſe, to the prejudice of that Union, and will to the uttermoſt of my Power advance and further the good and preſervation of it, and of his Majeſty's Rights, and the Priviledges of Free-born Subjects, to the Natives of this Kingdom.*

And then the Nuncio (as Generaliſſimo) led both Armies towards *Dublin*, conſiſting of near 1600 men; whereupon the Marqueſs of *Ormond* being extreamly ſtraitned, and in want of Ammunition, ſent to the Parliaments Ships then Riding in the Bay of *Dublin*, deſiring them to furniſh him with ſome, and to tranſport certain Commiſſioners from him to *England* to Treat with the Parliament, touching the Surrender of *Dublin* into their Hands. Accordingly Sir *Gerard Lowther* the Lord Chief Baron, Sir *Paul Davies*, and Sir *Francis Willoughby* came over, and arrived at *London Octob.* the 12*th*. And having been heard by a Committee, and the matter reported to the Houſe, It was Ordered to ſend over Sir *Thomas Wharton*, Sir *Robert King*, Sir *John Clotworthy*, Sir *Robert Meredith* Knights, and *Richard Salwey* Eſq; to *Dublin*, to Treat with his Excellency further about the ſame, carrying with them ſome Mony and Forces for the Relief of that Place, if they could agree for its Surrender. They arrived there on the 12*th* of *November*, And the whole Negotiation they had with the Marqueſs, be pleaſed to take as followeth.

The Papers of the whole Treaty between the Marqueſs of *Ormond*, and the Parliament's Commiſſioners. *Nov.* 1646.

May it pleaſe your Lordſhip,

WE *are ſent hither Commiſſioners from the Parliament of* England, *to communicate to your Lordſhip matters of high importance, concerning the preſervation of the Proteſtants in the Kingdom of* Ireland; *to which end we deſire from your Lordſhip a ſafe Conduct, for the coming and returning of our ſelves, and ſuch as ſhall attend us, not exceeding the number of* 30 *Perſons, and for ſuch things as appertain unto us. We remain,*

Your Lordſhips moſt humble Servants,

Dated from the Bay of *Dublin*, the 13. of *Novemb.* 1646.

Tho. Wharton. *Rob. King.*
Jo. Clotworthy. *Rob. Meredith.*
Ri. Salwey.

For the moſt honourable the Marqueſs of Ormond.

WHich ſafe Conduct being ſent unto them, the ſaid Commiſſioners landed the next day, and preſented themſelves to the Lord Lieutenant, and after an interview returned to their Lodging, and ſoon after came to his Lordſhip, and delivered him a Copy of their Commiſſion, and the next day being the 15. of *Novemb.* 1646. they delivered to his Lordſhip, Copies of the Ordinance of Parliament in their Commiſſions mentioned, and of the Order which did lead thereunto, and of ſuch Inſtructions as they had concerning his Lordſhip. The tenor of all which, and of the ſubſequent paſſages upon the Treaty, do appear in the Papers following.

At the Committee of Lords and Commons, at Darby *Houſe.*

BY *Virtue of an Ordinance of Parl. of the* 15. *of this inſtant* October, *authorizing us, We do conſtitute and appoint you, Sir* T. Wharton, *Sir* Rob. King, *Sir* John Clotworthy, *and Sir* Robert Meredith *Knights, and* Rich. Salwey *Eſq; Commiſſioners to treat with the Lord of* Ormond, *for and concerning the delivery of the Sword, the City of* Dublin, *and all other Garriſons and Holds in*

in his power. And you or any three of you have hereby power to treat with the said L. of Ormond, *concerning the premiſes, and to agree and conclude with him concerning the ſame, according to ſuch Inſtructions as are delivered unto you.* 22 *Caroli.*

Given this 23. *of* October, 1646.

Northumberland. E. Mancheſter. P. Liſle.
P. Wharton. W. Peirrepoint. Denzel Hollis.
P. Stapleton. W. Lewis. J. Temple. Ro. Goodwyn.

Copia vera, Ex.
W. Rowe, Secr.

Die Lunæ, 12. *October*, 1646.

IT is this day Ordered by the Commons aſſembled in Parliament, That it be referred to the Members of both Houſes, that are of the Committee of both Kingdoms, to conſider of theſe Letters, and to receive the Addreſſes of the Commiſſioners from *Ireland*, and their Propoſitions, and to view and conſider of their Inſtructions, and the Members of this Houſe that are of the Committee of both Kingdoms, or any four of them, have Power to meet this Afternoon at two of the clock in *Darby-Houſe* for the purpoſes aforeſaid, and have Power to report to morrow, if they ſhall ſee occaſion; And the Lord Lieutenant of *Ireland*, Mr. *Hollis*, Sir *John Clotworthy*, and Sir *John Temple*, have Power, and are deſired to be preſent at the meeting of this Committee.

Mr. *Na. Fines*, Sir *W. Lewis*, and Mr. *Rob. Goodwyn*, *are added to this Committee.*

Hen. Elſynge, Cler. Parl. D. Com.

Die Jovis 15. *Octobris*, 1646.

THE Lords and Commons aſſembled in Parliament, do declare, That they reſolve to proceed upon the ſecond way of Overture, made by the Earl of *Ormond*, and will appoint ſome way of treating with him for his Retirement, and will imploy ſuch as they ſhall think fit in the Truſt of that Kingdom.

John Brown, Cler. Parliament.

Vera Copia, Ex.
W. Rowe, Secr.

Die Jovis 15. *Octobris*, 1646.

ORdered by the Lords and Commons in Parliament aſſembled, That the whole Affair concerning *Ireland*, in reſpect of the ſecreſie and expedition thereunto neceſſary, be referred back to the former Committee, And the Committee hath Power to give Inſtructions to ſuch as they ſhall imploy for the purſuance and tranſaction of that Affair, and to Order the Forces that ſhall go thither, and to diſpoſe of the Ammunition, and other Proviſions for the Service of *Ireland*, as they ſhall judge beſt for the Publick Service, and are to meet this Afternoon, and ſo from time to time as they ſhall ſee cauſe.

John Brown, Cler. Parliament.

Vera Copia, Ex.
W. Rowe, Secr.

Inſtructions for Sir Tho. Wharton, *Sir* Rob. King, *Sir* John Clotworthy, *Sir* Rob. Meredith *Knights, and* Rich. Salwey, *Eſq; concerning the Lord of* Ormond.

YOU are to declare to the L. of *Ormond*, the E. of *Roſcommon*, and the reſt of thoſe that ſigned the Inſtructions to Sir *Gerard Lowther*, Sir *Francis Willoughby*, and Sir *Paul Davies*, That the Parliament will take into

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their Care and Protection the Proteſtants of *Ireland*. If the L. of *Ormond* do within four days deliver up the Sword, render all the Garriſons, and other Commands to the Pleaſure of the Parliament, Then you, or any three of you, are to give theſe enſuing Conditions.

1. That the L. of *Ormond* ſhall enjoy his Eſtate without moleſtation or diſturbance from the Parl. And ſhall have indempnity againſt all Debts contracted, by reaſon of any Goods, Mony, Debts, or Victuals taken up by virtue of any Warrants ſigned by him and the Council, from any Perſon, for the maintenance and ſupport of the Armies, or any of the Garriſons, now under his Command.

2. That he ſhall be protected in his Perſon and Goods for the ſpace of twelve months againſt all Suits, Arreſts, Moleſtation, or Diſturbance from any Perſon whatſoever, for any Debts owing by him to any Perſon whatſoever before the Rebellion there.

3. That the L. of *Ormond*, and all ſuch Noblemen, Gentlemen, and Officers, as ſhall be deſirous to go with him, or by themſelves, into any other place out of that Kingdom, ſhall have free Paſſes for themſelves, their Families, Goods, and travelling Arms, and a competent number of Servants ſutable to their reſpective Qualities.

4. That the L. of *Ormond* ſhall have 5000. *l.* paid him in *England* or *Ireland*, in ſuch manner as ſhall ſeem beſt to the Commiſſioners now ſent: And ſhall have alſo 2000. *l. per annum* for five years, And if the War ſhall longer continue in ſuch manner, as he cannot receive 2000. *l. per annum*, out of his own Eſtate, That then he ſhall have the ſaid Penſion of 2000. *l. per annum* ſtill continued, until he can receive ſo much out of his own Eſtate.

5. That the L. of *Ormond* ſhall have liberty to come and live here in *England*, with the like liberty that others have, he ſubmitting to all Ordinances of Parliament. And for the time of twelve months ſhall not be preſſed to any Oaths, he ingaging his Honour to do nothing in the mean time, that ſhall be diſſervice to the Parliament.

Darby-Houſe 17. *Octob.* 1646.

A. Northumberland.	*E. Mancheſter.*	*P. Liſle.*	*P. Wharton.*
W. Pierrepoint.	*Denzel Hollis.*	*W. Waller.*	*W. Armyn.*
Ph. Stapleton.	*John Temple.*	*W. Lewis.*	*Ro. Wallop.*

Vera Copia Ex. W. Rowe, Secr.

Novemb. 15. 1646.

WE find in the Inſtructions delivered in by you unto us, That you are to declare unto us, and the reſt that ſigned the Inſtructions to Sir *Gerard Lowther*, &c. That the Parl. will take into their Care and Protection the Proteſtants of *Ireland*. We deſire to know, whether by theſe words, *viz.* [That the Parl. will take into their Care and Protection the Proteſtants of *Ireland*] All the Proteſtants of *Ireland* are to enjoy their Laws, Liberties, Eſtates, and Imployments, without moleſtation or diſturbance from the Parliament of *England*?

ORMOND.

Novem. 15. 1646.

WE find by the Inſtructions delivered in by you unto us, theſe words, *viz.* If the Lord of *Ormond* do within four days deliver up the Sword, render all the Garriſons and other Commands to the pleaſure of the Parliament, then, *&c.* We deſire to know when the ſaid four days ſhall be underſtood to begin, and to what Perſon or Perſons, and to whoſe uſe the ſaid Sword, Garriſons, and other Commands, are deſired to be delivered up, or rendred?

ORMOND.

Novem.

22 *Caroli.*

Novem. 15. 1646.

TO your Lordſhips firſt Paper of the 15. of *November*, we return this Anſwer; That we are required by the Paper of Inſtructions delivered to your Lordſhip, to declare to your Lordſhip, the E. of *Roſcomon*, and the reſt that ſigned the Inſtructions to Sir *Gerard Lowther*, &c. That the Parliament will take into their Care and Protection the Proteſtants of *Ireland*: But deſire to be excuſed from giving a particular explanation of thoſe words in that Paper, being not directed ſo to do, yet conceive there ought to be no doubt of a fair interpretation thereof.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Ri. Salwey.*

Novem. 15. 1646.

ALthough we queſtion not a fair interpretation, yet in matters ſo highly importing the ſafety and ſubſiſtence of the Proteſtans of this Kingdom, we may not leave them to the uncertainty of future interpretation: And therefore we cannot reſt ſatisfied without clearer aſſurance in their behalf, than we find either in the Inſtructions delivered unto us by you this day, (whereof we deſire an Explanation) or the Anſwer given by you to our firſt Paper.

ORMOND.

15. *Novem.* 1646.

TO your Lordſhips ſecond Paper of the 15. of *November*, we return this Anſwer: That the four days appointed for the Treaty with your Lordſhip (within which time we are to bring our Debates to a concluſion) we underſtand did begin this 15. of *Novemb.* 1646. at 9 in the Morning, And we who are appointed Commiſſioners by Authority from the Parliament of *England*, are to receive from your Lordſhip (if the Treaty ſucceed) the Sword, and Garriſons under your Command, for the uſe of the Parliament of *England*, in order to the preſervation of the Proteſtants in the Kingdom of *Ireland*.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

15. *Novem.* 1646.

WE deſire to know, whether your Lorſhip reſts ſatisfied in all the particulars of the Paper of Inſtructions delivered to you by us this day, ſaving that which concerns the Proteſtants, as is expreſſed in your Lordſhips third Paper?

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 15. 1646.

WE hold it not fit to declare our ſenſe concerning the particulars of the Paper of Inſtructions, delivered by you to us, which concern our ſelf, until aſſurance be firſt given for the ſafety and ſubſiſtence of the Proteſtants of this Kingdom, which we deſire may be haſtened, for the bringing of this Treaty to a ſpeedy and good concluſion.

ORMOND.

November 15. 1646.

FOraſmuch as your Lordſhip in your third Paper of the fifteenth of this inſtant doth expreſs; That you cannot reſt ſatisfied without clearer aſſurance on the behalf of the Proteſtants of *Ireland*, than you find either in the Inſtructions

An. 1646.

Inſtructions delivered to you by us this day, or in our anſwers to your Lordſhip touching the explanation thereof, as was in your firſt Paper deſired. And whereas your Lordſhip in your fourth, in anſwer to our third hath ſignified, that you hold it not fit to declare your ſenſe concerning the particulars of the Paper of Inſtructions which concern your ſelf, until aſſurance be firſt given for the ſafety and ſubſiſtance of the Proteſtants of the Kingdom of *Ireland*; to the end nothing may be wanting on our parts, to bring this Treaty to a ſpeedy and happy Concluſion, we hold it fit to declare, That by an additional Inſtruction (which we might not ſooner impart) we are enabled to give to ſuch Proteſtants (not having been in the *Iriſh* Rebellion) as we condition withal, aſſurance of ſecurity to their Perſons, and to their Eſtates and Goods, that they have in *Ireland*, and that they may live quietly and ſecurely under the Protection of the Parliament, and their Forces, either within *England*, *Ireland*, or *Wales*, and that they ſhall enjoy thoſe their Eſtates and Goods, without any moleſtation or queſtion from the Parliament, as any others do, who have not offended the Parliament, they ſubmitting to all Ordinances of Parliament; and if any of them have any Lands or Eſtates in *England*, they are to compound for the ſame at the rate of two Years profit, as they were before the beginning of theſe Troubles, They ſubmitting to all Ordinances of Parliament.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

November 15. 1646.

BEfore we make anſwer to your fourth Paper of the fifteenth of *November*, we hold it needful to have an authentick Copy of the additional Inſtruction therein mentioned, being for the ſecurity of the Proteſtant-Subjects of this Kingdom, And we deſire authentick Copies of ſuch other additional Inſtructions as you have, in regard your commiſſion is limited by, and hath relation to your Inſtructions.

ORMOND.

November 16. 1646.

TO your Lordſhips fifth Paper of the fifteenth of *November*, we return this anſwer, That to the end nothing may be wanting on our parts, conducing to the ſecurity of the Proteſtants of *Ireland*, according to the Inſtructions given us by Authoriy of Parliament; and that we may accordingly put a ſpeedy Concluſion to this Treaty, we do for your Lordſhips more ample ſatisfaction, (though we hold not our ſelves obliged thereunto) herewith freely deliver your Lordſhip an Authentick Copy of the additional Inſtructions: But we muſt deſire to be excuſed from giving any further anſwer to the ſaid Paper, until we receive your Lordſhips poſitive Anſwer upon the Papers already given in, hoping it will be believed, That as we have not hitherto, ſo we ſhall not for the future offer any thing, unto which we are not warranted by our Inſtructions.

Rob, Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

The Additional Inſtruction concerning the Proteſtants of *Ireland*.

YOU, or any three of you, may give to ſuch Proteſtants, (not having been in the Iriſh *Rebellion) as you condition withal, aſſurance of ſecurity to their Perſons, and to their Eſtates and Goods, that they have in* Ireland; *and that they may live quietly, and ſecurely under the protection of the Parliament, and their Forces, either within* England, Ireland, *or* Wales: *And you may likewiſe aſſure them, that they ſhall enjoy thoſe their Eſtates and Goods without any moleſtation, or queſtion from the Parliament, as any others do, who have not offended the Parliment: They ſubmitting to all Ordinances of Parliament. And if any of them*

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them have any Lands or Eſtates in England, *they are to compound for the ſame, at the rate of two Years profit, as they were before the beginning of theſe Troubles, They ſubmitting to all Ordinances of Parliament.*

Derby-Houſe, *Octob.* 17. 1646.

Northumberland.	E. Mancheſter.	P. Liſle.	P. Wharton.
W. Pierpoint.	Denzil Hollis.	W. Waller.	P. Stapleton.
W. Armyne.	Wil. Lewis.	J. Temple.	R. Wallop.

Copia vera exam. W. Row. *Secret.*

Dublin, November 16. 1646.

WHereas we have been informed, that the Armies of the Rebels lye near this City, and may probably make ſome ſpeedy attempt upon the ſame: We hold it our Duty for the preſervation thereof, and of the Proteſtants therein, to declare, that if your Lordſhip apprehend ſuch danger to be, and that any Supplies of Men and Ammunition which we have brought with us, may prevent the ſame: We are ready to give all ſuch aſſiſtance, as may be thought expedient, during the time the preſent Treaty continues with your Lordſhip, and are willing to give ſuch Caution as may be expected from us, That no other uſe ſhall be made of the ſame, than is herein expreſſed, and ſhall expect the like from your Lordſhip. As alſo, that ſuch Men and Ammunition as we ſhall bring a-ſhore for the purpoſes aforeſaid, be (if the Treaty ſucceed not) returned us back again.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

November 16. 1646.

UPON conſideration had of your fourth Paper of the fifteenth of this Month, and the firſt Paper of the ſixteenth of this Month, and the Copy of the Additional Inſtruction ſent unto us therewith, before we can deliver any poſitive anſwer to your Papers, we hold it neceſſary to be ſatisfied in the following particulars.

Firſt, Whereas you expreſs in that Paper of the fifteenth, as followeth, *viz.* We are enabled to give to ſuch Proteſtants not having been in the *Iriſh* Rebellion, as we condition withal, aſſurance of ſecurity to their Perſons, and their Eſtates and Goods, that they have in *Ireland*: We deſire you to declare whether thoſe Words, *viz.* [ſuch Proteſtants not having been in the *Iriſh* Rebellion] you intend to exempt thoſe Proteſtants, or any of them, who have had a hand in making the Ceſſation, or the late Peace, or who have done any thing by occaſion, or in purſuance thereof.

Secondly, Whether by theſe words, *viz.* we are enabled to give ſuch Proteſtants as we condition withal, aſſurance; you intend that every particular Proteſtant ſhall come, and make his conditions with you; or whether all the Proteſtants of this Kingdom, are not to be included within the preſent Treaty, and to partake of the agreement which ſhall be made.

Thirdly, Whether by thoſe words, Submitting to Ordinances of Parliament, it be intended that they ſhall ſubmit to all, and every the Ordinances already made, and which hereafter ſhall be made by the Parliament of *England.*

Fourthly, We find nothing in the Commiſſion, nor in any of the Inſtructions delivered by you to us, for the continuance of the Judges and Miniſters of the Civil Liſt, and Officers of the Martial Liſt in their reſpective imployments, nor any anſwer given by you unto us in any of your Papers unto that particular, and herein we deſire to be ſatisfied, as a matter wherein their being and livelihood doth depend.

ORMOND.

November

An. 1646.

November 16. 1646.

TO the first and second particular of your Lordships first Paper of the 16. *November*, we answer, that we shall not exempt any Protestants of *Ireland*, though they have of late consented or submitted either to the Cessation of Arms, or the Peace concluded with the *Irish* Rebels, so as they submit to the Parliament within twenty days after our sending to them.

To the third particular, your Lordship hath an authentick Copy of the Instruction, wherein those words [submitting to all Ordinance of Parliament] are expressed, of which we have no explanation.

To the fourth particular, concerning the continuation or displacing of the Judges and Ministers of the Civil List in their imployments, we are not instructed therein; but for the Officers of the Martial List, we have power by our Instructions, and do intend accordingly to imploy such of them as shall be found fit for the service.

Having thus endeavoured to give your Lordship all possible satisfaction, we do again desire your Lordships positive answer to our Papers formerly given in, it being too manifest, how great mischief may befal the Protestants of this Kingdom, and the service with which we are entrusted, should not our Debates be brought to a speedy conclusion.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
J. Clotworthy. *Ri. Salwey.*

November 16. 1646.

WE are not satisfied with your answer to our first Paper, of the 16. of *Novemb.* to which we take these following exceptions for the present.

First, We desired by our said Paper to know of you, whether you intended to exempt the Protestants, or any of them, who have had a hand in making the Cessation, or late Peace, *&c.* to which you make this answer.

That you will not exempt any Protestants of *Ireland*, though they have of late consented, or submitted, either to the Cessation or the Peace concluded with the *Irish* Rebels, so as they submit to the Parliament within twenty days after your sending unto them; within which words, no Provision is made either for those who had a hand in the making thereof, or did upon the first making thereof submit thereunto. And besides, no Provision is made for any, but such as you shall send unto, so that it will rest in your power, to whom you will send, and when; wherein there is no certainty.

Secondly, We desired by our said Paper, to know of you, whether you intended that every particular Protestant shall come, and make his Conditions with you; or whether all the Protestants of this Kingdom are not to be included within the present Treaty, and to partake of the agreement to be made, to which no clear answer is given.

And whereas you desire our positive answer to your Papers formerly given, it being, as you say, too manifest how great mischief may befal the Protestants of this Kingdom, and the service with which you are intrusted, if your debates should not be brought to a speedy conclusion. We desire you for the same Reasons, to set down fully and clearly how far the Propositions which we sent to the Parliament by our Commissioners, are assented unto; and upon view and consideration thereof, we shall speedily give our positive answer.

ORMOND.

November 17. 1646.

IN answer to your Lordships second Paper of the 16. of *November*, and for clearing (so far as possibly lies in us) the Exceptions therein taken to our answer unto your Lordships first Paper of the same date. We herewith deliver all the Instructions which we have received, that do (as we conceive)

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conceive) in any kind whatſoever, relate thereunto; and if yet there ſhall remain with your Lordſhip any doubt concerning thoſe particulars, we ſhall repreſent the ſame (if the Treaty do ſucceed) to thoſe that imployed us with the beſt advantage for the Proteſtants of this Kingdom. Further ſatisfaction than this, we ſuppoſe cannot be expected from us.

As to the other part of your Lordſhips Paper, wherein you would have us ſet down fully and clearly, how far the Propoſitions which you ſent to the Parliament by your Commiſſioners, are aſſented unto, we cannot anſwer your Lordſhips deſire therein, neither thoſe Propoſitions, nor Copies of them being delivered unto us.

We therefore earneſtly deſire your Lordſhip to accept of the Conditions offered in our former Papers, and to give us a ſpeedy Reſolution therein.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Ri. Salwey.*

Inſtructions for Sir *Thomas Wharton*, Sir *Robert King*, Sir *John Clotworthy*, and Sir *Rob. Meredith* Knights, and *Richard Salwey* Eſquire, imployed to the Lord of *Ormond*, and others at *Dublin*.

YOU may receive any Proteſtant who hath not been in the Iriſh *Rebellion, though he hath of late conſented, or ſubmitted, either to the Ceſſation of Arms, or the Peace concluded with the* Iriſh *Rebels, ſo as they ſubmit to the Parliament within twenty days after your ſending for them.*

You, or any three of you, have Power hereby to give Protection to ſuch as will come under Contribution, and to give them the beſt ſafeguard you can, by the countenance of the Forces ſerving under the Parliament.

You, or any three of you, may give to ſuch Proteſtants (not having been in the Iriſh *Rebellion) as you condition withal, aſſurance of ſecurity to their Perſons, and to their Eſtates and Goods, that they have in* Ireland, *and that they may live quietly and ſecurely under the protection of the Parliament, and their Forces, either within* England, Ireland, *or* Wales; *and you may likewiſe aſſure them, that they ſhall enjoy thoſe their Eſtates and Goods, without any moleſtation, or queſtion from the Parliament, as any others do, who have not offended the Parliament, they ſubmitting to all Ordinances of Parliament; and if any of them have any Lands or Eſtates in* England, *they are to compound for the ſame at the rate of two years profit, as they were before the beginning of theſe troubles, they ſubmitting to all Ordinances of Parliament.*

Darby-Houſe, Octob. 17. 1646.

Northumberland.	Mancheſter.	P. Liſle.	P. Wharton.
W. Pierpoint.	Denz. Hollis.	W. Lewis.	W. Armine.
W. Waller.	P. Stapleton.	I. Temple.	Ro. Wallop.

November 17. 1646.

IN your third Paper of the 16. of *November*, are theſe words, *viz.* That for the Officers of the Martial Liſt, we have power by our Inſtructions, and do intend accordingly to imploy ſuch of them as ſhall be found fit for the ſervice. A Copy of which Inſtructions we deſire, that we may the better judge how far the ſecurity and future ſubſiſtence of the ſaid Officers is thereby provided for.

ORMOND.

November 17. 1646.

IN anſwer to your Lordſhips firſt Paper of the 17. of this Month, we herein deliver a Copy of the Inſtructions therein deſired.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

An. 1646.

YOu, or any three of you, are to imploy ſuch of the Officers now under the Lord of Ormond, *as you ſhall think fit; and where you diſplace any, you are to place other Officers, if they be neceſſary; or otherwiſe to ſee their Commands ſufficiently diſcharged, until the Lord Lieutenant of* Ireland *take further order.*

Copia vera, Exam.
W. Rowe, Secr.

Signed as the reſt of the Inſtructions.

November 17. 1646.

BY our ſecond Paper of the 16. of *November*, we deſired you for the bringing of the preſent debates to a ſpeedy concluſion, to ſet down fully and clearly, how far the propoſitions, which we ſent to the Parliament by our Commiſſioners, are aſſented unto; and we did by our ſaid Paper declare, that upon view and conſideration thereof, we would ſpeedily give our poſitive anſwer; to which by our firſt Paper of the 17. of *November* you ſay, that you cannot anſwer our deſire therein, neither thoſe Propoſitions nor Copies of them being delivered unto you. We think fit to declare unto you, that our Commiſſioners delivered our Propoſitions and Inſtructions to the Committee of both Houſes, and that they took Copies thereof, and that our Commiſſioners do by their Letters of the 16. of *October* 1646. certifie us by the Command of the ſaid Committee, that with the ſuccours, there would alſo arrive here certain Commiſſioners to be ſent from the Parliament to treat with us, upon the particulars contained in the Propoſitions and Inſtructions ſent to the Parliament from us, Copies of which Propoſitions and Inſtructions we are ready to ſend unto you, if that you ſhall deſire the ſame. And we again deſire you to declare fully and clearly how far you have power, and will aſſent to our ſaid Propoſitions, or whether we ſhall give our poſitive anſwer to the Papers already delivered by you, taking it for granted that you have or other inſtructions, than what you have delivered us.

ORMOND.

November 17. 1646.

TO your Lordſhips ſecond Paper of the 17. of *November*, (wherein you again deſire us to declare fully and clearly, how far we have power, and will aſſent to the Propoſitions ſent to the Parliament by your Commiſſioners) we can return no other anſwer than we have already done in our two firſt Papers of the 16. and 17. of *November*, in the latter of which we declare, we have not thoſe Propoſitions nor Copies of them, nor we think it expedient upon this occaſion to receive the ſame from your Lordſhip, yet we deſire the want of thoſe Propoſitions may not be conceived the only reaſon of our forbearance of giving further anſwer to your Lordſhips Paper; but hold it our duty to inſiſt upon your Lordſhips poſitive anſwer to the Papers already given in.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

November 17. 1646.

IF you ſhall poſitively declare, that you have no Power or Inſtructions to enlarge your ſelves beyond what is expreſſed in your former Papers, we will then give a poſitive anſwer to thoſe Papers.

ORMOND.

November 17. 1646.

WE cannot more largely or poſitively expreſs the power and extent of our Inſtructions, than we have already done, but do again in purſuance of our inſtructions, deſire your Lordſhips anſwer to the Papers given in.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

November

22 *Caroli.*

November 17. 1646.

WE did not by our third Paper of the 17. of *November*, deſire to know whether you could more largely or poſitively expreſs the power and intent of your Inſtructions, than you had formerly done: But we expreſſed, that if you would poſitively declare you had no power or inſtructions to enlarge your ſelves beyond what is expreſſed in your former Papers, we would then give a poſitive anſwer to thoſe Papers, which by your anſwer thereunto you have neither affirmed nor denied; And therefore we forbear to give a poſitive anſwer to your ſaid Papers, till we be ſatisfied in that particular.

ORMOND.

November 18. 1646.

HAving taken into conſideration your Lordſhips laſt Paper of the 17. of *Novemb.* we return you this anſwer, that we hold it not fit poſitively to declare, whether we have any power or inſtruction to enlarge our ſelves beyond what is expreſſed in our former Papers, nor do we conceive it ought to be expected from us, for that (to omit other reaſons) we have frequently declared, that we are (according to our Inſtructions) to receive your Lordſhips poſitive anſwer upon the Papers already given in, which we now again deſire from your Lordſhip.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

November 18. 1646.

IN the Copy of ſome of the Inſtructions delivered by you unto us, it is thus expreſſed, That if the Lord of *Ormond* do within 4 days deliver up the Sword, render up all the Garriſons, and other Commands to the pleaſure of the Parliament, then you, or any three of you, are to give theſe enſuing Conditions, *&c.*

And in your ſecond Paper of the 15. of *November*, 1646. you expreſs your ſelves amongſt other things, as followeth, *viz.* We, who are appointed Commiſſioners by Authority from the Parliament of *England*, are to receive from your Lordſhip (if the treaty ſucceed) the Sword, and Garriſons under your Command, for the uſe of the Parliament of *England*; To which, and your other Papers, before we can make anſwer, we deſire to know whether you have his Majeſty's Direction and Command unto us, for our ſo doing.

ORMOND.

November 18. 1646.

TO your Lordſhips firſt Paper of the 18. of this month, we anſwer, that we have not his Majeſty's direction and command unto your Lordſhip, for delivering up the Sword, rendring up all the Garriſons and Commands to the pleaſure of the Parliament.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

Novemb 18. 1646.

THE Papers delivered by you unto us, whereunto you deſire our poſitive anſwer, gave occaſion unto us to take into conſideration, as well the Propoſitions and Inſtructions ſigned by us alone, and ſent by our Commiſſioners to be preſented to the Parliament of *England*, as alſo the Propoſitions and Inſtructions ſigned by us, and the Council of this Kingdom, and other Propoſitions and Inſtructions ſigned by the ſaid Council a-part, and ſent by our ſaid Commiſſioners to be in like ſort preſented: all which Propoſitions

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and Inſtructions they delivered to the Committee of both Houſes, appointed to conſider thereof, who took Copies of the ſaid Propoſitions and Inſtructions, Copies of which Propoſitions ſigned by us alone, we think fit to inſert herein, *viz.*

Propoſitions of the Lord Liuetenant of *Ireland*, to be preſented, *&c.*

THat the ſaid Lord Liuetenant will proſecute the War againſt the Iriſh *Rebels, as vigorouſly as he ſhall be thereunto enabled by the Parliament of England, and that he will faithfully ſerve the Crown of* England *therein.*

2. *That whilſt he hath the Government of this Kingdom, and the Command of the Armies therein, none of the Supplies of Men, Mony, Arms, Munition, Victuals, or any other Proviſions of what kind or nature ſoever, which ſhall by the PARLIAMENT of* ENGLAND *be ſent over, or joyned with the Forces already under his Command, nor any other Forces that ſhall be under his Command, ſhall in any wiſe be imployed either within this Kingdom, or out of it, but by the expreſs Direction of the ſaid Parliament of* England.

3. *That he will not upon any Command, or by virtue of any Power or Authority whatſoever, enter into any Treaty with the ſaid* Iriſh *Rebels, or conclude any Peace or Ceſſation with them without the conſent and expreſs Command of the King and Parliament of* England.

4. *He will ingage himſelf to the true preformance of all theſe things by Oath, or by any other means that can be propoſed to a Man of Honour and Conſcience.*

Septemb. 26. 1646. ORMOND.

Now foraſmuch, as we do not find by our Papers, that any one of the ſaid Propoſitions, which have been tranſmitted from hence, is aſſented unto by the Parliament of *England*, though we have preſſed you by ſeveral Papers, to know how far they were aſſented unto; And for that it appeareth unto us by thoſe Papers, that no Copies of the ſaid Propoſitions or Inſtructions were delivered unto you, and that when we upon that ſignification did offer unto you Copies of both, you did not think it expedient upon this occaſion to receive the ſame from us, And for that by the Papers and Copies of Inſtructions delivered by you unto us, We find no ſecurity offered to any of the Proteſtants, but to ſuch as you ſhall condition withal, and who ſhall ſubmit to all Ordinances of Parliament, whereas we expected that all ſhould be included and provided for, in and by the preſent Treaty, and what thoſe Conditions or Ordinances of Parliament are, you do not aſcertain by any of your Papers: And for that it doth not appear unto us by any the Inſtructions, whereof you have delivered Copies unto us, that you have power to ſecure any other of his Majeſties Subjects, who have conſtantly adhered to the Government here ſince the 22. of *October*, 1641, in their Perſons and Eſtates. And for that the Officers of his Majeſties Army here, and the Judges and Miniſters of the Civil Liſt, have no aſſurance given them for their continuance in their reſpective Imployments, your expreſſion as unto them being as followeth, *viz.* Concerning the continuation and diſplacing of the Judges and Miniſters of the Civil Liſt in their Imployments, we are not inſtructed therein; but for the Officers of the Martial Liſt, we have power by our Inſtructions, and do intend accordingly to employ ſuch of them, as ſhall be found fit for the Service, which giveth no aſſurance unto any one of the Martial Liſt, and leaveth the Civil Liſt without any ſecurity, and taketh no notice of the Poor diſtreſſed Clergy of the Kingdom. In all which particulars (being contained in our Propoſitions and Inſtructions) we did hope that the Parliament of *England* would have given us ſatisfaction, which being not yet done, for any thing made known by you to us, and for that you have by your Paper of the 18. of *Nov.* 1646. declared unto us, that you have not his Majeſties Direction and Command unto us, for delivering up the Sword, rendring up all the Garriſons and Commands to the pleaſure of the Parliament; which you by your ſecond Paper of the 15. of *Nov.* 1646. deſire to be rendred unto you, to the uſe of the Parliament; without

any

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any relation in your ſaid Paper to the King, we hold it not conſiſtent with our Duty to his Majeſty, to part with ſo great a Truſt committed to our Charge, in manner as by your Papers is deſired, without his Majeſty's expreſs and poſitive Directions, and therefore may not aſſent thereunto.

ORMOND.

November 18. 1646.

WHereas we did, together with our firſt Paper of the 16th of *November*, deliver in to your Lordſhip an Authentick Copy of the additional Inſtruction concerning the Proteſtants of *Ireland*, unto which your Lordſhip hath taken ſeveral exceptions; we think good for your ſatisfaction therein, now to declare, that we intend that all Proteſtants whatſoever of the Kingdom of *Ireland* (not having been in the *Iriſh* Rebellion) ſhall be included in this Treaty, and receive the full benefit expreſt in the ſaid Inſtruction: And that the conditions implyed in that Inſtruction to be impoſed on them, ſhall be underſtood, as followeth, *viz.* Whereas it is ſaid, they ſhall enjoy thoſe their Eſtates and Goods without any moleſtation or queſtion from the Parliament, as any others do, who have not offended the Parliament, they ſubmitting to all Ordinances of Parliament. By all Ordinances of Parliament, we only intend ſuch Ordinances (whether already made, or to be made) as all others do ſubmit unto, who never offended the Parliament; And whereas liberty is given to compound for ſuch Eſtates, as any of them ſhall have in *England*, they ſubmitting to all Ordinances of Parliament. By all Ordinances of Parliament we intend, only ſuch as all Perſons now compounding in *England* do ſubmit unto, provided that all thoſe that are thus admitted to their compoſition do effectually proſecute the ſame within ſix Months after the publication of theſe Articles.

And whereas in the fourth Article of the firſt Paper delivered in to your Lordſhip, offer is made of 5000 *l.* in Mony, and 2000 *l. per annum*, to be paid your Lordſhip in manner as is expreſſed in the ſaid Article, we now hold it fit to declare, that if it ſhall be more to your Lordſhips ſatisfaction and content, we have power given us, and ſhall accordingly grant, what you deſired in the ſixth Article of your Lordſhips additional Inſtructions ſent to the Parliament, according as is in the Paper herewith delivered in, expreſſed.

And we laſtly hold it fit to make known unto your Lordſhip, that power is alſo given to us, to agree for allowances to be paid to other Perſons, by conſtant Penſion during the War of *Ireland*, not exceeding the ſum of 2000 *l. per annum*, which Penſions are to continue, till they can receive the like benefit by their own Eſtates.

We do now particularly declare to your Lordſhip (and ſooner according to our Inſtructions we could not) that we have no power to enlarge our ſelves, beyond what we have expreſſed. And do therefore now again, intreat your Lordſhips poſitive anſwer upon the whole, which we muſt the rather deſire may be expedited, for that we are (according to our Inſtructions) to bring our debates to a concluſion within four Days at the fartheſt, after the beginning of the Treaty, which will end to morrow at nine of the Clock in the Morning, and we have no Authority to prolong the ſame.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

A Copy of the Paper mentioned in the former.

SIxthly, In regard that my whole fortune is now in the poſſeſſion, or within the power of the Rebels, ſo as I can make no manner of uſe of it; As alſo for that I have not only at my own Charge, in ſome ſort, maintained the Honour and Dignity of my Place, ſince the 21. of *Jan.* 1643, which was the Day whereon I was ſworn his Majeſty's Lieutenant, but likewiſe contributed in a conſiderable Portion to the maintenance of the Army and Garriſons now under my Command. And laſtly, for that by means thereof, I am utterly unable to diſcharge the Debts I have contracted for my own ſupport, whilſt

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whilſt I imployed my own to feed the Army, or to pay the wages due to the Servants, which I was neceſſitated to entertain, in reſpect of the place I held; For theſe Reaſons, I deſire it may be humbly offered to the Nobleneſs and Honour of the Parliament, That to free me from the clamour of Creditors, to pay my Servants their Wages, and to tranſport and maintain my Self and my Family, in ſome ſort befitting the condition of a Gentleman; The Parliament will be pleaſed to diſburſe the ſum of 13000 *l.* 877 *l.* 14 *s.* 9 *d.* be paid to ſuch as I ſhall appoint upon Bills of Exchange accepted by ſufficient Men in *France*, or *Holland*, to wit, the one half upon ſight, and at ſix Months the other half thereof, which is leſs than the juſt ſum I have diſburſed for the maintenance of the Garriſons of *Dublin*, *Dundalke*, *Newry*, *Narrow-Water*, *Green-Caſtle*, and *Carlingford*; not accompting my own expence, nor the many other ſmaller diſburſments ſpent meerly for the good of the ſaid Garriſons; And that I may be ſecured againſt any Moleſtation, by Reaſon of the Engagements I have at any time entred into, for the publick Service, ſince the beginning of this Rebellion.

November 19. 1646.

UPON conſideration had of your third Paper of the 18. of *Nov.* as alſo of your former Papers, and the Copies of ſuch Inſtructions, as you delivered unto us, we find no ſatisfaction given by you in theſe following particulars.

Firſt, We do not find that you have power to ſecure any of his Majeſty's Roman Catholick Subjects in their Perſons and Eſtates, who have conſtantly adhered to the Government here, ſince the 22. of *October*, 1641, of whom we conceive care ought to be had in the preſent Treaty.

Secondly, You have declared unto us, that you have no Inſtruction concerning the continuation or diſplacing of the Judges, and Miniſters of the Civil Liſt in their imployment, and your Inſtruction as unto the Martial Liſt (whereof you gave us a Copy) is as followeth, *viz.* You or any three of you are to imploy ſuch of the Officers now under the Lord of *Ormond*, as you ſhall think fit, and where you diſplace any, you are to place other Officers, if they be neceſſary, or otherwiſe to ſee their Commands ſufficiently diſcharged, until the Lord Lieutenant of *Ireland* taketh further Order; which may give more occaſion of fear unto the Officers of being diſplaced, than hope of continuance in their reſpective Imployments, and there is not as much as mention made of the Poor diſtreſſed Clergy of the Kingdom, in any the Papers or Inſtructions delivered to you by us.

Thirdly, The Proteſtants of the Kingdom, who are to be included in the preſent Treaty, are, as you declare in the laſt Paper delivered by you to us, to ſubmit themſelves to all Ordinances of Parl. whether already made, or to be made; Amongſt which (as we are informed) are ſome which require the Covenant to be generally taken, and others which lay Mulcts upon thoſe who ſhall uſe the Book of Common-Prayer, which Form of Service, and no other, is by a Law of force in this Kingdom, commanded upon a Penalty to be uſed; And in our inſtructions ſent by our Commiſſioners, we deſire that neither the one nor the other might be preſſed until ſettlement by Parliament.

And for us to agree upon this Treaty to all future Ordinances, which ſhall be made by the Parliament, before it be known what thoſe Ordinances are, we conceive may be of dangerous conſequence to the whole Kingdom, and not agreeable with the rules of prudence in us.

Fourthly, Whereas by a ſpecial Inſtruction ſigned by us apart, we did direct our ſaid Commiſſioners as followeth, *viz.* If you find the Parl. ready and willing forthwith effectually to take into their Care and Protection his Majeſty's Proteſtant Subjects within the Quarters under my Command, and thoſe that have adhered to them from the 22. of *October*, 1641. according to the purport of the Inſtructions ſigned by me and the Council, and that my continuance in the Government, ſhall be the only let thereunto, you are then in ſuch caſe to let them know, that I will Surrender my place of Lieutenant, and deliver all the Holds in my Power, to ſuch as the Parliament ſhall appoint, upon theſe Conditions.

Firſt,

22 *Caroli.*

Firſt, That they procure his Majeſty's directions for the doing thereof, *&c.* which was the firſt and fundamental Condition of all that was propounded by us upon this Overture, which was to be Precedent, and without which, nothing as unto the delivery up of the Government was to be expected from us.

Upon conſideration of all which, and of the Oath taken by us, upon our firſt entrance into this great truſt repoſed in us, the tenor whereof doth enſue in theſe words, *viz.*

You ſhall ſwear, that you ſhall faithfully and truly to your power ſerve our Soveraign Lord the King's Majeſty, in the room and authority of Lord Lieutenant, and chief Governour of this his Realm of *Ireland*, You ſhall maintain and defend the Laws of God and the Chriſtian Faith, You ſhall to your power, not only keep his Majeſty's Peace amongſt his People, but alſo maintain his Officers and Miniſters in the execution and adminiſtration of Juſtice, You ſhall defend his Majeſty's Caſtles, Garriſons, Dominions, People, and Subjects of this Realm, and repreſs his Rebels and Enemies, You ſhall not conſent to the damage, and diſherizon of his Majeſty his Heirs nor Succeſſors, neither ſhall you ſuffer the right of the Crown to be deſtroyed by any way, but ſhall let it to your power; and if you cannot let the ſame, You ſhall certifie his Majeſty clearly and expreſly thereof, You ſhall give your true and faithful advice for the King's Majeſty's profit, and his highneſs Council? You ſhall conceal and keep all other things for the preſervation of his Majeſty's Realm of *Ireland*, the Peace amongſt his People, and execution of his Juſtice, according to his Majeſty's Laws, Uſages and Cuſtoms of this his Highneſs's Realm, You ſhall perform, and do to your power: So God you help, and by the Contents of this Book.

And for that our Commiſſioners have by their Letters certified us, that they were commanded by the Committee of both Houſes to forbear the delivering unto the *Scottiſh* Commiſſioners the duplicate of the Letters, which we and the Council had written to his Majeſty, and delivered to our Commiſſioners advertiſing his Majeſty thereby of our addreſs to the Parliament, with direction to deliver them to the *Scottiſh* Commiſſioners, to be ſent to the King, until the pleaſure of the two Houſes ſhould be made known; which reſtraint, doth as yet for any thing made known unto us, lye ſtill upon them.

And for that if we ſhould deliver up the Sword in manner as is deſired, the preſent Parl. of this Kingdom (which is the hope of the remaining Proteſtants here) would be at an end; for all which reaſons, we may not part with the truſt committed to our charge, in manner as by your Papers is deſired, without his Majeſty's expreſs and poſitive direction, and therefore may not aſſent thereunto.

ORMOND.

Novemb. 19. 1646.

IF your Lordſhip continue unſatisfied concerning the Papers already delivered in, or any of them, as is implyed by the Exceptions taken thereunto, and expreſſed in your laſt Paper of the 18. of *November*, we are ready to offer ſuch conſiderations to your Lordſhip by way of Anſwer thereunto, as we hope, may give your Lordſhip ſatisfaction therein; and this we deſire may be done by conference, if your Lordſhip ſhall think fit, for that the ſhortneſs of time will not give opportunity to commit it to writing.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

Novem. 19. 1646.

ALthough the Conference deſired by you in your Paper of this days date was within half an hour of the expiration of the time limited for this Treaty: And although you have poſitively declared in your third Paper of the 18. of *November* 1646. That you have no power to enlarge your ſelves, or the time beyond what you have expreſſed, yet to manifeſt to the world, how

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how deſirous we are to receive ſatisfaction in thoſe neceſſary exceptions by us taken to your Papers given in upon this Treaty, which may bring the ſame to a happy concluſion, we are ready to entertain the Conference deſired by your ſaid firſt Paper of this days date.

ORMOND.

Novem. 19. 1646.

WHereas we received a large Paper from your Lordſhip of the 18. of *November*, wherein you declared you could not aſſent to deliver up the Sword, render all the Garriſons, and other Commands to the pleaſure of the Parliament, as was deſired by us in Papers formerly given in to your Lordſhip, together with your particular Exceptions to the ſame.

And whereas, we did immediately thereupon offer unto your Lordſhip ſuch further Conditions to the former, as we were inſtructed unto for your more ample ſatisfaction in complying with the deſires of the Parliament, in order to the preſervation of the Proteſtants of the Kingdom of *Ireland*.

And whereas your Lordſhip ſignified to us, that it then being late, and the Paper given in by us of great importance, you would return anſwer thereunto the next Morning.

And whereas, we did this morning deliver to your Lordſhip a Paper, declaring, That if your Lordſhip continued unſatisfied concerning the Papers by us given in or any of them, as was expreſſed by the Exceptions taken thereunto, we were ready to offer ſuch conſiderations to your Lordſhip as we hoped might give ſatisfaction, which we deſired might be done by conference, for that the ſhortneſs of time would not permit it in writing.

And having received another Paper from your Lordſhip of the 19. of *November*, containing your refuſal to deliver up the Sword, &c. upon the Conditions offered in our firſt and later Papers, your Lordſhip did ſignifie by your ſecond Paper of the 19. That you were ready to hear what we could further offer by way of Conference, as was deſired; which was by us performed accordingly.

We do therefore now deſire to know, if your Lordſhip do ſtill inſiſt upon your refuſal, on the grounds expreſſed in your Papers. And if ſo, we make known to your Lordſhip, that we ſhall for our own exoneration, commit to writing the ſum of what we delivered in Conference, and give your Lordſhip a Copy thereof; to the end, the uprightneſs of our proceeding in the tranſaction of this Treaty with your Lordſhip may in all things appear, although that happy ſucceſs, which we deſired, be not attained thereby.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

Novem. 19. 1646.

FOraſmuch as, what was delivered upon the Conference, cannot be made uſe of by us, as binding unto you, unleſs it be reduced to writing, and ſigned by you, which when you ſhall have reduced the ſame to writing, and given us a Copy thereof, ſigned by you; We ſhall then declare unto you, whether or no, we will reſt ſatisfied therewith, or ſhall upon the whole matter inſiſt upon our refuſal.

ORMOND.

Dublin 20. *Novemb.* 1647.

Whereas upon *Thurſday* Morning the 14. of *November*, in our Conference with your Lordſhip, we did endeavour to offer ſuch conſiderations, as might give ſatisfaction to your Exceptions taken to our Papers given in; And whereas, we did at the ſame time alſo deſire to know, whether or no your Lordſhip had received ſatisfaction to all, or any of your ſaid Exceptions, or whether you would ſtill inſiſt upon your refuſal, whereupon your Lordſhip by your third Paper of the 19. of *November*, returned anſwer, That what was delivered upon the Conference cannot be made uſe of by your Lordſhip, as binding unto us; unleſs it be reduced to writing, and ſigned by us, and that when

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when we ſhall have reduced the ſame to writing, and given you a Copy thereof ſigned by us, your Lordſhip will then declare unto us, whether or no you will reſt ſatisfied therewith, or ſhall upon the whole matter inſiſt upon your refuſal. We have therefore accordingly expreſt in writing the ſum of what was delivered in Conference, which we offer to your Lordſhip as followeth.

Your Lordſhips firſt Exception is.

Except. 1. *That none of the Propoſitions (of the firſt way of Overture) which were tranſmitted by your Lordſhip to the Parliament are aſſented unto.*

To which we anſwer.

Anſw. 1. That an Ordinance of Parliament of the 15. of *October*, 1646. Containing the Declaration of both Houſes to proceed upon the ſecond way of Overture made by your Lordſhip, was by us delivered to your Lordſhip.

2. That declaration was made by the Parliament, before ſuch time as Sir *Francis Willoughby* returned from *London*, from whom your Lordſhip might be informed thereof.

3. Your Lordſhip preſuming (before your Commiſſioners came from *London*) that the Parliament might not accept of thoſe Propoſitions, did by Additional Inſtructions, declare, you would not inſiſt thereupon, and accordingly gave them liberty to recede from the ſame, and to propound a ſecond way of Overture, which the Parliament did proceed upon, and appointed a way of Treating with you; of which, your Commiſſioners did advertiſe your Lordſhip, by Direction of the Committee of Parliament, appointed to conſider of the ſaid Propoſitions. And,

4. If your Lordſhip obſerve, how far that ſecond way of Overture is accepted and granted by the Parliament in the Propoſition by us given in; you may happily find, not only full and poſitive ſatisfaction to the moſt of what your Lordſhip asked, but in ſome particulars alſo, more ample offers made, than was by your Lordſhip deſired therein; which when the world ſhall conſider, together with the grounds and principles held forth by your Lordſhip (inviting the Diſpatch of Supplies to this Place) we are confident, the Parliament will be abundantly juſtified therein: yet over and above all this, we continue to declare, that in every particular we will go to the utmoſt limits of our Inſtructions, and where any thing ſeems doubtful to your Lordſhip, or too ſhort; we ſhall (if the Treaty ſucceed) repreſent it to thoſe that imploy us, in the beſt manner we can for your Lordſhips full ſatisfaction. And this we deſire may be applyed to every Exception taken by your Lordſhip.

Excep. 2. *That we have no power to ſecure any of his Majeſty's Roman Catholick Subjects in their Perſons and Eſtates, who have conſtantly adhered to the Government here ſince the* 22. *of* October, 1641. *Of whom you conceive care ought to be had in the preſent Treaty.*

Anſw. 1. Thoſe that by Authority of Parliament gave power to us to treat, did not, for ought we can perceive, take cognizance of any of the Roman Catholicks of *Ireland*, that did adhere to the Government of this Kingdom againſt the *Iriſh* Rebels.

2. If any ſuch be, it's probable the number is not conſiderable; and if they have done nothing againſt the Parliament, they need not any ſpecial ſecurity, but may expect as much as others, that have in like manner demeaned themſelves, although they be of the Proteſtant Religion.

3. Power is given (as by an Inſtruction delivered in the 16. of *November* is expreſt) to protect ſuch as will come under contribution, and to give them ſafeguard by the countenance of the Forces ſerving under the Parliament; According to which, they are to be protected in their Perſons and Eſtates, as well from the violence of the Souldiers under the Parliament, as of the Enemy; And this to be extended unto all, without diſtinction of Offence, or Religion.

4. If any thing more can be reaſonably offered, in the behalf of ſuch Papiſts as have adhered to the preſent Government, and not been in the *Iriſh*

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Rebellion; it ſhall be alſo recommended back by us to thoſe that imployed us, in the beſt manner we can for your Lordſhips ſatisfaction.

Except. 3. *That no aſſurance is given, that the Judges and Miniſters of the Civil and Martial Liſt ſhall be continued in their places and employments*, &c.

Anſw. 1. Nothing is given us in charge, nor hath any thing been expreſſed by us concerning the removal of the Judges, and Miniſters of the Civil Liſt, nor any of them.

2. In caſes of like nature, it hath not been known, that Perſons ſo qualified, have been continued and eſtabliſhed by Treaty, nor was it (to our knowledge) ever heretofore inſiſted on by any whomſoever.

3. If it muſt be preſumed that they have offended the Parliament, yet aſſurance is given (and otherwiſe they can need none) for ſecurity to their Perſons, with injoyment of their Goods and Eſtates in the Kingdom of *Ireland*, as if they had not offended, and have liberty to compound for their Eſtates, as any of them have in *England*, and ſuch Compoſition not to exceed two Years value.

Concerning the Officers of the Martial Liſt.

We Anſwer.

Anſw. 1. We have expreſſed, That we will continue and imploy all ſuch Officers, whomſoever as ſhall be found fit for the Service: And as we have not hitherto taken up a Reſolution (if the Treaty ſhould ſucceed) to diſplace any, ſo we do Declare, That it muſt be an extraordinary Cauſe that ſhould induce us to it, and we underſtand the words of our Inſtruction (*viz.* You are to imploy ſuch of the Officers, *&c.*) doth ſo direct us, and therefore cannot give, as your Lordſhip expreſſeth, more occaſion of fear unto the Officers of being diſplaced, than hope of continuance in their reſpective Imployments.

2. As we believe, no preſident can be ſhown; ſo it is obvious, the inconvenience would be very great, to Article for, and eſtabliſh by Treaty, any Officers of the Military Liſt, though our Reſolution be to continue the ſame.

3. The ſame aſſurance and benefit, as is declared in our third Anſwer to your Lordſhip's Objections concerning the Civil Liſt, is alſo to be extended in like manner to the Officers of the Martial Liſt, according to our Inſtructions.

In which alſo, the Clergy of this Kingdom, mentioned by your Lordſhip, may reſpectively receive advantage, concerning whom we are not inſtructed: Yet,

We deſire it may be remembred, that power is given us to agree for Penſions, to ſuch as we ſhall think fit, to the value of two thouſand Pounds *per annum*, which we are ready to aſcertain unto ſuch of the Civil and Martial Liſt, as alſo of the diſtreſſed Clergy, as ſhall be thought meet to extend it to, in ſuch way as may give beſt ſatisfaction, according to our Inſtruction.

Excep. 4. *That great inconveniency may happen to all the Proteſtants of* Ireland, *who are to be included in this Treaty, if they ſhould thereby conclude themſelves to ſubmit to all the Ordinances of Parliament.*

Anſw. 1. We have declared, *&c.* That their ſubmitting to all Ordinances of Parliament, is to be underſtood no otherwiſe than as all others do, who have always adhered to, and never offended the Parliament.

2. We know of no Ordinance of Parliament, that requires the Covenant to be taken in the Kingdom of *Ireland*.

3. We are no ways inſtructed to ſuppreſs the Book of Common-Prayer, or impoſe the Directory, though your Lordſhips repreſented in your own Inſtructions, that the Directory might be uſed here.

4. It may alſo be conſidered, That your Lordſhip made Overture of ſubmitting to the Direction of both Houſes of Parliament, (and that excluſively to any one whatſoever) as to the ordering and diſpoſing of the Army, *&c.* If they ſhould accept of your Overture, which could not be underſtood otherwiſe

wiſe to be done, but by Ordinances of Parliament, as to them from time to time ſhould ſeem meet. 22 *Caroli.*

Excep. 5. *Laſtly, That the King's Direction for the Delivery up of the Government is not obtained, and that your Commiſſioners were commanded to forbear the delivering unto the* Scotch *Commiſſioner, the duplicate of the Letters which your Lordſhip and the Council had written to his Majeſty concerning the ſame.*

Anſw. 1. We are very confident, what the Committee of both Houſes did therein, was by Direction of the Parliament.

2. Your Commiſſioners did declare, that if ſupplies were not inſtantly diſpatched, you would take it for granted none would be ſent, and therefore muſt be neceſſitated to think of ſome other courſe for your Preſervation, as by the Laws of God and Nature became you, and therefore it could not be imagined (the neceſſity being ſo great, under which your Lordſhip then was, according to the repreſentation thereof made to the Parliament) that you would refuſe ſuch Supplies from the Parliament, in manner as they directed, till your Letter ſhould be from thence ſent to *Newcaſtle*, and an anſwer thereof returned to your Lordſhip, which would not undoubtedly have taken up much more time, than the extremity of your Condition here, according to the foreſaid repreſentation, could poſſibly admit of; And information was given that an Addreſs to the King was alſo made by your Lordſhip another way, and we have not yet underſtood by your Lordſhip that he hath inhibited you to proceed and conclude with us.

But more eſpecially we deſire it may be conſidered by your Lordſhip, that in your Letter to the King, (mentioned in your exceptions) your Lordſhips expreſſions are full, to proceed with the Parliament upon the Overture made to them in the Propoſitions, not only without deſiring Anſwer, but without expecting Conſent or Direction from his Majeſty before ſuch time as you would conclude the ſame, and your Lordſhip doth only give an account of your Reſolutions, his Majeſty unconſulted with, as already fixt with expectation only of a benign conſtruction from his Majeſty thereupon; And that not only from the conſideration of neceſſity, but (as we conceive) of your Lordſhips Duty alſo, as the caſe then ſtood, (no leſs than a Kingdom lying at the Stake) to make your application in ſuch manner to the Parliament.

3. May it not alſo be conſidered, what Reaſon the Parliament had to conceive your Lordſhip intended, not ſo to inſiſt on the King's Direction as without it you would not conclude, when they obſerved that by thoſe Propoſitions from your Lordſhip, a Copy whereof you have delivered us, you offered (if they ſhould accept thereof) to put your preſent Army and Forces, called by your Lordſhip his Majeſty's Army, (Notwithſtanding any intereſt you apprehended the King had therein) under the ſole Direction of both Houſes of Parliament. And yet in thoſe Propoſitions, we find no mention made of Conſent or Direction to be firſt had from the King, which was believed your Lordſhip then, as at this time alſo, might the better do, for that by Act of Parliament, the mannaging of the War of *Ireland* is eſtabliſhed in both Houſes of Parliament alone.

4. It may be conſidered, that however many caſes of this nature in the late troubles in *England* have happened, where Perſons under great Obligations to the King, have frequently ſurrendred to the Parliament, Garriſons and Forces, which they received by Command from his Majeſty, as in particular that of *Oxford*, where remained not only the Duke of *York* and his Majeſty's Council, but alſo the Sword, the great and leſſer Seals, with other Enſigns of the Regal Power, (and all theſe) without firſt having any explicite Direction from the King to deliver up the ſame.

5. When we alſo conſider how paſſionately it was repreſented to the Parliament by your Lordſhip, of how great importance the City and Caſtle of *Dublin* (together with the Garriſons under your Command) were in Order to the recovery of the Kingdom of *Ireland*, the preſervation of the Proteſtant Religion, together with all the Proteſtants therein, as alſo how undoubtedly all muſt miſcarry, if Supplies did not timely come; We cannot but wonder, that in caſe of ſo high concernment, and ſo great neceſſity

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(the ſpilling of the blood of ſo many thouſand Proteſtants being unavoidable) according to the grounds and repreſentations offered by your Lordſhip to the Parliament, the danger whereof remains the ſame, for ought hath occurred to us, granted alſo by the loſs of many Garriſons ſince, and will be perfected by your rejecting the Supplies (with ſo much Expedition and Charge ſent hither by the Parliament) that yet the King's Conſent ſhould be ſo inſiſted on, as that neither the Preſervation of the ſaid Proteſtant Religion, nor the Blood of thouſands of Proteſtants, nor any of the fore-mentioned Conſiderations ſhould purchaſe a Diſpenſation therein.

6. And whereas your Lordſhips Oath is objected, It appears to us to be penn'd with ſpecial Caution and Relation to ſuch a time of neceſſity as this; and is rather (as we conceive) fulfilled by conſent to, than refuſal of the conditions offered to your Lordſhip, unto which alſo we believe that reſpect was had, when thoſe Reſolutions were taken up expreſſed in the forementioned Letter to the King.

We hold it our Duty to deal thus clearly and freely with your Lordſhip, that (if it were poſſible) we might give ſatisfaction thereby; However our Conſciences do acquit us, that we have done our utmoſt therein, and do conceive that thoſe that imployed us, will be abundantly acquitted in the ſight of God and Man, as having done what could be expected from them, and unto whom (for any neglect in this affair) the guilt of Blood we are confident ſhall not be imputed in that day wherein inquiſition ſhall be made for the ſame.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

November, 1646.

WE have conſidered the Paper wherein you expreſſed the ſum of what was delivered by you in the Conference with us; to which we make return.

Our firſt Exception was, Not that none of the Propoſitions of the firſt way of Overture, which were tranſmitted by us to the Parliament, are aſſented unto, as in that Paper is expreſſed, but that none of the Propoſitions which were tranſmitted, whether you look to the firſt way of Overture, (as you are pleaſed to term it) or the ſecond way of Overture, are aſſented unto. And to the end that this may be the better underſtood, we hold it neceſſary to declare, that ſome of the Propoſitions which were tranſmitted by us from hence, were ſigned by us a-part, wherein we did undertake the Proſecution of the War, as vigorouſly againſt the Rebels, as we ſhould be thereunto enabled by the Parliament; which Propoſitions are expreſſed at large in our ſecond Paper of *November* 18. 1646. and theſe ſeem only to have relation to Our ſelf.

There were other Propoſitions ſigned by Us and the Council, wherein not only Our ſelf, but all others of this Kingdom, as well of the Souldiery, as others of his Majeſties Proteſtant Subjects of this Kingdom, and their adherents are reſpectively concerned, the ſaid Propoſitions importing no leſs than the preſervation of them in their Perſons, Eſtates, and Imployments.

And there were Inſtructions ſigned by us, and delivered to our Commiſſioners, authorizing them, that if they did find the Parl. willing and ready to take into their care and protection his Majeſty's Subjects, within the quarters now under our Command, and thoſe that have adhered to them ſince the 22. of *October* 1641. according to the purport of the Inſtructions ſigned by us and the Council, and that our continuance in the Government ſhould be the only let thereunto, that then our ſaid Commiſſioners ſhould let them know, that we would Surrender our place of Lieutenant, and deliver up all the Holds in our Power, to ſuch as the Parl. ſhould appoint, upon certain Conditions, whereof the firſt and principal is, that they ſhould procure his Majeſty's directions for our ſo doing, which offer made by us, is in the Ordinance of Parl. delivered by you to us, and by you in your Paper of the 19. of *November* 1646. called our ſecond way of Overture, whereupon you ſay the Parliament did proceed, which you ſay, Sir *Francis Willoughby* upon his return from *London* might have informed us: That

Sir

22 *Caroli.*

Sir *F. Willoughby* might have told us we knew not; we are ſure he did never tell us of the Reſolution ſaid by you to be taken by the Parl. for proceeding in that you call the ſecond way of Overture, nor did he bring with him (for ought known to us) any Copy of the Order of the 15. of *October*, declaring that Reſolution, nor was it mentioned by our Commiſſioners in any of their Letters, though we received ſeveral, as well by the ſaid Sir *Fran. Willoughby*, as by others, of dates ſubſequent to the ſaid Order.

But on the contrary, Sir *Gerrard Lowther*, and Sir *Paul Davies*, did by their Letter of the 6. of *November*, after Sir *Fr. Willoughby*'s departure from *London*, certifie us, that Sir *Robert King*, and the reſt, were ſent hither to Treat with us (as they heard,) for Surrendring *Dublin*, and other places under Command, to which they were not called, but were altogether ſtrangers to their tranſactions there concerning that Treaty, and that they did not know any thing of their Commiſſion, Authority, or Inſtructions, or how far they extended.

But though the Parl. did lay hold of this called our ſecond way of Overture, yet the Propoſitions which were ſigned by us and the Council, wherein all his Majeſty's Proteſtant Subjects of this Kingdom, as well of the Souldiery as others, and ſuch as have adhered unto them, were alike concerned with us, were not to be paſſed over, for whether we did continue in the Government, according to the firſt way of Overture, or part with it (termed by you the ſecond way of Overture,) it was our main care and deſire, that they ſhould be ſecured in their Perſons, Eſtates, and Employments, which is not yet done to our ſatisfaction.

And in that which concerneth our ſelf, the principal thing, which is his Majeſty's direction and allowance for the rendring up of the Government, which was to precede and warrant all that we did propound to be done by us herein, is yet wanting, which we deſire you to repreſent to thoſe who imployed you in the beſt manner you may.

Exception 2.

OUR ſecond exception is, that you have no power to ſecure any of his Majeſty's Roman Catholick Subjects in their Perſons and Eſtates, who have conſtantly adhered to the Government here, ſince the 22. of *October* 1641. of whom we conceive care ought to be had in this preſent Treaty. To this you give theſe Anſwers.

Firſt, That thoſe who by authority of Parl. gave power to you to Treat, did not take cognizance of any of the Roman Catholicks in *Ireland*, that did adhere to the Government of this Kingdom, againſt the *Iriſh* Rebels; which anſwer doth not ſatisfie us, but doth enforce the Exception, for their not taking cognizance of them, is the ground and cauſe of the Exception.

Your ſecond anſwer is, That (if any ſuch be) it is probable the number is not conſiderable; And if they have done nothing againſt the Parl. they need not any ſpecial ſecurity, but may expect as much as others, that have in like manner demeaned themſelves, although they be of the Proteſtant Religion; which Anſwer doth not ſatisfie, but give us more cauſe to inſiſt upon the Exception, becauſe you ſay, it is probable that the number of them is not conſiderable, whereas we who have been upon the place know it to be otherwiſe both in number and quality of Perſons.

And ſince his Majeſty's Proteſtant Subjects, who have ſerved againſt the Rebels here, and done nothing againſt the Parl. are offered to be ſecured in their Perſons, and Eſtates, they may by the ſame rule of Juſtice expect the like aſſurance, and the greater regard ought to be of them, for that their Religion being made the pretence of the Rebellion, they do notwithſtanding adhere to his Majeſty's Proteſtant Subjects againſt the Rebels, who are of that Religion.

Your third Anſwer, *viz.* Power is given (as by an inſtruction delivered in the 16. of *November* is expreſt) to protect ſuch as will come under contribution, and to give them ſafeguard by the countenance of the Forces ſerving under the Parl. according to which they are to be protected in their Perſons and Eſtates, as well from the violence of the Soldiers under the Parliament, as of the Enemy, and this to be extended unto all, without diſtinction of Offence or Religion; which Anſwer doth not ſatisfie us, for the ſaid inſtruction

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inſtruction looketh rather to the Rebels who are to be brought under contribution, than to thoſe who have continued good Subjects, and therein there is no aſſurance given unto them for their Eſtates, as is in the ſame inſtruction to his Majeſty's Proteſtant Subjects for their Eſtates.

Your fourth Anſwer is, If any thing can be reaſonably offered in the behalf of ſuch Papiſts, as have adhered to the preſent Government, and not been in the *Iriſh* Rebellion, it ſhall be alſo recommended back by you to thoſe who imployed you, in the beſt manner you can to our ſatisfaction; The latter part of which Anſwer, being the beſt part thereof, we deſire may be purſued; for the firſt part thereof doth enforce the Exception, it being made a doubt whether any thing can be reaſonably offered for ſuch Papiſts as have adhered to the preſent Government, and not been in the *Iriſh* Rebellion, whereas nothing in reaſon can be offered againſt ſuch, but that they ſhould be ſecured in their Perſons and Eſtates.

Our third Exception is, That no aſſurance is given, that the Judges and Miniſters of the Civil and Martial Liſt, ſhall be continued in their places and imployments, which is anſwered by you, as followeth.

Firſt, Nothing is given us in charge, nor hath any thing been expreſſed by us concerning the removal of the Judges and Miniſters of the Civil Liſt, nor of any of them, which Anſwer doth not ſatisfie us: for we deſire by our Propoſition, to have an aſſurance for the continuing them in their reſpective imployments, which is not yet aſſented unto.

Your ſecond Anſwer is, That in caſes of like nature, it hath not been known, that Perſons ſo qualified have been continued and eſtabliſhed by Treaty, nor was it to your knowledge, ever heretofore inſiſted upon by any whomſoever; which Anſwer doth not ſatisfie us, for though you might ſhew that the contrary hath been done in like caſes (as we believe you cannot) yet, even for that cauſe, we have the more reaſon to inſiſt upon it.

Your third Anſwer is, If it muſt be preſumed, that they have offended the Parliament, yet aſſurance is given (and otherwiſe they can need none) for ſecurity to their Perſons, with enjoyment of their Goods and Eſtates in the Kingdom of *Ireland*, as if they had not offended, and have liberty to compound for the Eſtates any of them have in *England*, and ſuch Compoſition not to exceed two years value: We are not ſatisfied with this your Anſwer, for there is nothing here to aſſure them the continuance in their imployments, and our Propoſition made in their behalf for their continuance in their imployments, cannot preſume a guilt; and it is no reaſon to ſay, that if they be not guilty, they need not deſire this aſſurance, for the Judges do well underſtand, that *abundans cautela non nocet*, and if it muſt be preſumed that they have offended the Parliament, there is the more reaſon to inſiſt on the Propoſition for the continuing of them in their reſpective imployments, they having been diſpoiled of all their Eſtates.

To your expreſſion whereby you would ſatisfie us concerning the continuing in imployment the Officers now under our Command, *viz.* That as you have not yet taken up a Reſolution (if the Treaty ſhould ſucceed) to diſplace any: ſo you declare, it muſt be an extraordinary cauſe that muſt induce you to it, we eaſily believe, that as it is too early for you to declare a Reſolution to turn them out of their imployments, (though ſuch a Reſolution were taken up by you) till you were poſſeſt of the power to do it; ſo you may judge ſuch a declaration, not to be the readieſt way, to attain to that power by Treaty from us, which we are confident is the only way whereby you will at this time attempt it, but when by that means you ſhould be inveſted in that Power, the queſtion is, whether you would not then underſtand, that the Concurrence of ſome of the Martial Liſt with us in the concluſion of the Ceſſations and Peace here, the actual Service of ſome others in his Majeſty's Armies in *England*, and the Obedience given by all to ſome Commands, that may have been diſpleaſing to the two Houſes of Parliament in *England*, to be extraordinary and ſufficient cauſes for their removal, wherein, if you ſhall declare negatively, we ſhall reſt ſatisfied as to that particular, nor could our demand of having them ſecured in their reſpective imployments, be underſtood to reach to a forgiveneſs of ſuch Crimes in future as may merit diſplacing; for which we confeſs, we can no more alledge a preſident, than we believe you can, that ever the Sword was demanded to be delivered by the Chief Governour of this Kingdom, to Commiſſioners

miſſioners of the Parliament of *England*, without the Command of the King.

Exception 4.

OUR fourth Exception being as followeth, *viz.* That great inconvenience may happen to all the Proteſtants of *Ireland*, who are to be included in this Treaty, if they ſhould thereby conclude themſelves to ſubmit to all Ordinances of Parliament, is anſwered by you as followeth.

Anſwer 1.

YOur firſt Anſwer is, we have declared, that their ſubmitting to all Ordinances of Parliament is to be underſtood, no otherwiſe than as all others do, who have always adhered to, and never offended the Parliament; with which anſwer we are not ſatisfied, it being no more, than that we are to ſubmit to all the Ordinances of Parliament; to which thoſe who are of the Parliament party ſubmit, as the Covenant, the Directory, the aboliſhing of the Book of Common-Prayer, *&c.*

Anſwer 2.

YOur ſecond anſwer is, we know of no Ordinance of Parliament that requireth the Covenant to be taken in the Kingdom of *Ireland*; with which anſwer we are not ſatisfied, for we know that it hath been preſt in all parts of the Kingdom, where the Parliament hath prevailed, as in the Provinces of *Munſter*, *Ulſter*, and *Connaught*, there being ſome Miniſters not long ſince employed into *Ulſter*, who went from Town to Town, and from City to City, preſſing the Covenant, whereupon many Proteſtants did acquit their Commands and Habitations in thoſe parts, rather than they would ſubject themſelves to it; and if the ſame was done without an Ordinance of Parliament, we have the more reaſon to inſiſt, that his Majeſty's Subjects may be ſecured againſt ſo violent and unwarranted preſſures upon their Conſciences.

And if you know no Ordinances of Parliament which requireth the Covenant to be taken in the Kingdom of *Ireland*, you may the better undertake that it ſhall not be preſſed; and if you be not inſtructed to ſuppreſs the Book of Common-Prayer, or impoſe the Directory, you may the better condeſcend to what is deſired concerning both, ſo far as is expreſſed in our inſtructions.

Anſwer 4.

YOur fourth Anſwer is, It may alſo be conſidered, that your Lordſhip made Overture of ſubmitting to the Direction of both Houſes of Parliament (and that exclusively to any other whatſoever) as to the ordering and diſpoſing of the Army, *&c.* if they ſhould accept of your Overture, which could not be underſtood otherwiſe to be done, but by Ordinances of Parliament, as to them from time to time ſhould ſeem meet.

We are not ſatisfied with this your Anſwer, the ſtrength of your reaſon being thus;

That we did ſubmit to the direction of both Houſes of Parliament for the ordering of the Army, *&c.* therefore no inconvenience can happen to the Proteſtants in *Ireland*, who are to be included in this Treaty, if they ſhould thereby conclude themſelves to ſubmit to all Ordinances of the Parliament of *England*, which ſure is no good Conſequence, from one particular to conclude a general; And if you would declare that by ſubmitting to all Ordinances of Parliament, were only intended ſuch Ordinances as concern the ordering and diſpoſing of the Army, though that offer of ours was, in caſe that way of accommodation, which is waved by the Parliament, were laid hold of (of any thing wherein we therefore conceive no uſe ſhould be made in this Treaty, ſince that way is laid aſide) yet ſuch a declaration would, as to that point give ſatisfaction.

The fifth Exception is, That the King's Direction for the delivery up of the

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the Government is not obtained, and that our Commiſſioners were commanded to forbear the delivering unto the *Scottiſh* Commiſſioners, the Duplicate of the Letters, which we and the Council had written to his Majeſty concerning the ſame; To which you make theſe Anſwers, *viz.*

That our Commiſſioners did declare, That if Supplies were not inſtantly diſpatched, that we would take it for granted, that none would be ſent, which was the ground of haſtning the ſaid Supplies, whereas the words of our Inſtructions were, That if within a reaſonable time after Landing of our Commiſſioners, they did not advertiſe us, that thoſe things we deſired were on the way hither, or at leaſt a conſiderable proportion of Mony and Munition, and probable hope of the reſt ſpeedily after, that then we would take it for granted, not that no Supplies would come, but that our Propoſitions were rejected there; which ſtrongly implyed, and ſo was intended, that if we underſtood Supplies were on the way, we might then take it for granted, our Propoſitions were accepted, which alſo we had cauſe to believe, for that our Commiſſioners by command of the Committee, before whom they were heard, ſignified to us, their meſſage was chearfully accepted, whereof the ſending of Supplies was but a part; nor can it be reaſonably objected to us, that we refuſe thoſe Supplies, ſince none of the Conditions wherein we expreſſed our willingneſs to receive them, is offered to us in manner as was deſired, eſpecially that fundamental one, of procuring the King's Command for delivering up the Sword, and Garriſons, which being the way fixed on by the Parliament, we much wonder, was not endeavoured (as well it might have been, and an anſwer had) before you came from *London*, and if it had been obtained, there had been no need of ſending it to us till your arrival, and if it had been refuſed, the Parliament in their great Wiſdom and Knowledge of the duty of one ſo highly truſted, would have found ſome other expedient to extend their aſſiſtance and Protection to the Proteſtants, other than ſuch as muſt blemiſh our honour and fidelity to all Poſterity, nor is it a ſufficient diſcharge to us, that his Majeſty hath not inhibited us to proceed and conclude with you, his expreſs Command being in this caſe abſolutely neceſſary. And as for the ſuppoſitions and inferences, which you make out of the Letters writ by us to his Majeſty, and both Houſes of Parliament; as that it could not be imagined, the neceſſities being ſo great, under which we then were, that we would refuſe ſuch Supplies from the Parliament in manner as they directed, till our Letter ſhould be from hence ſent to *Newcaſtle*, and anſwer thereof returned to us: And that the Parliament had no reaſon to conceive, that we intended ſo to inſiſt on the King's direction, as without it we would not conclude, *&c.* As alſo conſidering how paſſionately we repreſented to the Parliament, the importance of the City and *Caſtle* of *Dublin*, *&c.* and how undoubtedly all muſt miſcarry, if Supplies did not ſpeedily come, that yet the King's conſent ſhould be ſo inſiſted upon, as none of the forementioned conſiderations ſhould purchaſe a diſpenſation therein; And to induce us thereunnto, you propoſe unto us examples of the delivering up of other Garriſons and Forces in *England*, as in particular, that of *Oxford*, &c. without having any explicite direction from the King to deliver up the ſame. We conceive the caſe of *Oxford* to be different from this; For Sir *Thomas Fairfax*, to whom the City of *Oxford* was rendred, (after ſome time of formal Siege, and the ſhedding of blood on both ſides) was not invited thither by thoſe within to defend and relieve it againſt the expected attempts of another Enemy; as thoſe Forces now here with you were (upon certain Conditions) by us, but his coming before *Oxford* was unſent for, openly and declaredly to take by force of Arms that City: In the caſe of *Oxford* alſo, we have ſeen his Majeſty's Command directed to the Governour for the rendring thereof, which if you can produce to us for the giving up of theſe Garriſons, with the Enſigns of Royalty belonging to the Crown of this Kingdom, we will in like ſort readily obey the ſame, notwithſtanding ſome other diſparity in the caſes. And if the Inſtructions we gave our Commiſſioners be looked into, Copies whereof were delivered by them to the Committee of both Houſes, all theſe ſuſpitions, inferences, and Arguments will vaniſh, it being a certain and true rule, that no inference nor application is to be made contrary to that which is expreſt, as our inſtructions were in this particular; for our firſt and principal Inſtruction was, That we would ſurrender our Place of Lieutenant, *&c.* to ſuch as the Parliament ſhould appoint, upon theſe following Conditions. *Firſt,*

22 *Caroli.*

Firſt, That they procure his Majeſties Direction for the doing thereof, *&c.* But further to clear it, in our ſeventh and laſt Inſtruction delivered unto our Commiſſioners, whereof the ſaid Committee had likewiſe a Copy, it is further given in charge unto them in this manner, *viz.* If in the mean time whilſt they take theſe Propoſitions and the reſt into their Conſiderations, and till they have procured his Majeſties Direction as aforeſaid, the Parliament be pleaſed to ſend over ſuch Supplies, as may relieve the Garriſons from ruin, through want, or by the hoſtile attempts of the Rebels, the ſame ſhall be well Husbanded for them, and imployed only to thoſe ends; both which Inſtructions leave no place for inference or implication to be made contrary to expreſs Inſtructions. If the Parliament hath procured his Majeſties Direction, the condition is performed, but if that be not done, the Forces notwithſtanding may be received and imployed in the preſent ſervice, and ſo all thoſe inconveniencies may be prevented, which are feared: But if nothing that we can do can give ſatisfaction, but to deliver up the Sword, render all the Garriſons, and other Commands to the pleaſure of the Parliament, which we are bound by Oath to preſerve and keep for his Majeſty, before we do receive his Direction therein, We doubt not but we ſhall be acquit herein before God and Men, if we inſiſt upon the refuſal of that which we cannot do without the violation of our Oath to God and the King.

To ſum up in brief thoſe particulars wherein we are not ſatisfied by any of your Papers, nor by any thing which was delivered in the Conference.

Firſt, You have ſhewed us no Direction from his Majeſty to deliver the Sword, *&c.* Which you ſay you have not procured.

Secondly, You have *not offered aſſurance to the Papiſts of this Kingdom*, who have adhered to his Majeſties Government ſince the 22. of *October*, 1641. for their Eſtates, which is confeſſed by you.

Thirdly, You have not undertaken, that the Covenant ſhall not be preſſed, nor that the Book of Common-Prayer ſhall not be ſuppreſſed.

Fourthly, You have given no aſſurance either for the continuance of the Judges and Officers of the Civil Liſt, or the Officers of the Martial, in their reſpective Imployments, or the Clergy in their reſpective Rights and Incumbencies.

Fifthly, You have given us no ſatisfaction in that great and main Objection touching the preſent Parliament, which would be diſſolved, if that we ſhould deliver the Sword in manner as is deſired, The Papers do clear none of theſe particulars, and nothing was delivered poſitively in the Conference which doth any ways enlarge the former Papers. We know that in matters of ſo high and great concernment, you will go to the utmoſt Limits of your Inſtructions, and that in theſe things which ſeem doubtful to us, you will (if any expedient can be found for the continuing the Treaty) repreſent them to thoſe who imployed you, in the beſt manner you can, for our Satisfaction; according to the promiſe made by you in your laſt Paper, for which we do return you thanks in the behalf of all his Majeſties Proteſtant Subjects, and thoſe who have faithfully adhered to them. And for that full ſatisfaction cannot be given to us without your further Application to the Parliament, for enlarging your Powers. We being reſolved to leave no means unattempted, that may conduce to the preſervation of his Majeſties Proteſtant Subjects in this Kingdom, and the Rights of the Crown of *England*, and to the end the Forces brought hither by you, may be employed to to thoſe good ends, whilſt his Majeſties pleaſure by us, and that of the Parliament by you is ſought, do offer theſe following Propoſitions.

Firſt, That the Officers and Souldiers, ſent hither by the Parliament of *England* be put into one, or more convenient Garriſons, and be commanded by their Reſpective Officers, who are to receive Orders from us and the Governours of the Places where they ſhall be Garriſon'd, and to be ſubject to the Laws Martial now in force in this Kingdom.

Secondly, We deſire, towards the keeping of the Army now under our Command for ſix Weeks, three thouſand Pounds, whereof two Parts in Mony, and a third Part in Victuals.

Thirdly, That there be an Ingagement from you to us on the behalf of the Parliament, that the Officers and Souldiers which are to be Garriſoned, as in the firſt Propoſition is mentioned, ſhall do no Act prejudicial to the

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preſent Government here; And that in caſe we ſhall not at or before the expiration of the ſaid ſix Weeks agree, that they ſhall remove from thoſe places out of our Quarters, at ſuch time as we ſhall direct.

Fourthly, We ſhall engage our ſelf unto you, that the ſaid Officers and Souldiers, ſhall quietly and peaceably be permitted by us to remove with their Arms, Proviſions, and other things belonging unto them, to Shipboard, or to ſuch other Places out of our Quarters, as you Sir *Robert Meredith*, Sir *Thomas Wharton*, Sir *Robert King*, and Sir *John Clotworthy*, Knights, and *Richard Salwey* Eſquire, or any three of you ſhall Direct: And to theſe our Propoſitions we deſire your ſpeedy Anſwer.

ORMOND.

Dublin, November 22. 1646.

HAving received your Lordſhips Papers of the 21. of *November*, and in them your return to what was firſt delivered in conference, and afterwards for your Lordſhips ſatisfaction put in Writing, and Signed by us.

And whereas in thoſe Papers, your Lordſhip deſires a Copy of the Inſtruction, whereby power is given us to agree for Penſions to the value of two thouſand Pounds *per annum*. We have thought fit (that nothing may be wanting on our Parts) herewith to deliver you a Copy of the ſaid Inſtruction.

And however upon peruſal of your Lordſhips Paper of the 21. of *Nov.* we find little cauſe to believe ſatisfaction will be received by your Lordſhip, as hath been endeavoured to be given by us; Yet foraſmuch as your third Paper of the 19. of *November* did expreſs, that when you ſhould receive in Writing Signed by us, what was delivered in Conference to your Lordſhip, you would then declare unto us, whether or no you would reſt ſatisfied therewith, or upon the whole matter inſiſt upon your refuſal, we deſire your Lordſhip ſpeedily to give us your poſitive Anſwer accordingly.

And withal, we hold it fit to declare, that as we conceive the grounds of ſatisfaction offered by us, do remain unanſwered by your Lordſhip, and particularly touching the King's Conſent and Direction (which you call Main and Fundamental) we having made it appear that your Lordſhips Overture to the Parliament, was, to put all your Forces and Garriſons under their ſole Command (the King unconſulted with at all therein) ſo we no ways think fit (though our Inſtructions ſhould therein Authorize us) to accept of the Propoſitions mentioned in the latter end of your Papers, as an expedient to continue any longer.

If yet your Lordſhip continue to refuſe what we have offered, we can only give account thereof to thoſe that imployed us, and muſt leave it to the World to judge, whether thoſe Exceptions, taken and inſiſted on by your Lordſhip, be conſonant to thoſe Grounds and Principles held forth in your Overture made to the Parliament, by which they were induced to ſend Succours hither, or whether all the particulars (ſo far inſiſted on by your Lordſhip, that it appears not to us, you will recede from any one thereof) be of equal concernment to that hazard, yea, (according to your Lordſhips own Repreſentation) that certainty of loſs, not of a Kingdom only, but of thouſands of Proteſtants, and together with them, the Proteſtant Religion alſo.

All which, by the great Care and Pious Endeavours of the Parliament of *England*, might have been (through the Bleſſing of God) prevented, if what we have offered (and do yet offer) in their Names, be not by your Lordſhip refuſed.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Rich. Salwey.*

A Copy of the Inſtruction mentioned in the former Paper.

YOU, or any three of you, have alſo hereby power given you to agree for ſuch allowances to be paid to others by conſtant Penſion, during the War of Ireland, *(for the better and more firm carrying on of this Work) as ſhall not exceed in*

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in the whole, the ſum of two thouſand Pounds per annum, *to all other Perſons beſides the two thouſand Pounds* per annum, *to the Lord of* Ormond: *And thoſe Penſions to continue till they can receive the like benefit by their own Eſtates.*

Vera Copia, Ex.
W. Rowe.

Signed as the reſt of the Inſtructions.

November 22. 1646.

WHereas by your Paper of the 22. of *November*, 1646. You affirm that you made it appear, that our Overture to the Parliament was to put our Forces and Garriſons under their ſole Command, the King not conſulted withal therein, we do poſitively affirm, that you neither have nor can make it appear, that we made Overture to the Parliament, to put all our Forces and Garriſons under their ſole Command, the King unconſulted; for whatſoever hath been offered by us unto the Parliament by our Propoſitions and Inſtructions, We are conſtant thereunto, and ſtill ready to perform.

ORMOND.

November 22. 1646.

HAving received your Lordſhips Paper of the 22. of *November*, (which we conceive needs no reply) we deſire to know whether your Lordſhip will return any further Anſwer to our firſt Paper of this day's date.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
Jo. Clotworthy. *Ri. Salwey.*

November 22. 1646.

WE may not return other Anſwer, than we have done in our former Papers, until we have conſulted his Majeſty, and received his Direction therein.

ORMOND.

November 22. 1646.

WE having heard nothing from you ſince we ſent our laſt Paper, we deſire to know whether we ſhall underſtand this Treaty to be at an end for the preſent, that if neither our Propoſitions ſent by us to the Parliament of *England*, nor the Propoſitions we ſent unto you for the ſtay of your Men, be aſſented unto, in manner as is Propounded, we may conſider what further courſe to take for the preſervation of his Majeſty's Subjects and the Rights of the Crown.

ORMOND.

November 22. 1646.

IN Anſwer to your Lordſhips Paper of the the 23. of *November* we return; That we continue aſſured, there is no other way, according to the repreſentation made by your Lordſhip to the Parliament, of preſerving the Proteſtants of the Kingdom of *Ireland*, nor of the Rights thereof relating to the Kingdom of *England*, but by accepting the Overtures made by us to your Lordſhip, according to our Papers delivered in; Your Lordſhip inſiſting upon a poſitive refuſal thereof, we underſtand the Treaty to be at an end; And as for the offers lately made by your Lordſhip to us, we refer our ſelves to our Anſwer already given thereunto, and can in no wiſe accept of the ſame.

Rob. Meredith. *Tho. Wharton.* *Rob. King.*
John Clotworthy. *Rich. Salwey.*

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Thus the Treaty not ſucceeding, the Parliament's Commiſſioners returned again to their Ships, and carried all the Supplies they had brought to the Parliament's Garriſons in *Ulſter*, and returned again to *London*. *February* 15. 164$\frac{6}{7}$.

However their appearance there did this good, That the *Iriſh* ſoon after drew off, and quitted the Siege of *Dublin*, being themſelves in great want of Proviſions.

CHAP. XIII.

Proceedings in Parliament from April 1. *to* May 1. 1647.

Thurſday, April 1. 1647.

A Letter to the Parliament's Agent in *France*, about the Ships and Goods taken by Pirates going for *Ireland*, was then reported to the Houſe, and, being read, was aſſented to for relief. An Order was then likewiſe made, referring it to the Committee of the *Navy*, to provide Shipping for the Coaſts of *Suſſex*, and to prevent Robberies by Pirates, thereby to encourage the Merchants.

The Houſe then fell upon the buſineſs of the day, concerning the Affairs of *Ireland* (as was appointed) and more particularly whether the Civil and Military Government ſhall be in one or two diſtinct Governments; and it was voted, That the Civil Government ſhould be diſtinct from the Military. Alſo voted, That the Civil Government of that Kingdom ſhall be by two Lords Juſtices, as formerly.

That the Military Government of that Kingdom ſhall be by a Commander in Chief, and that the ſaid Chief Commander ſhall be directed by Commiſſioners on the place.

The Houſe alſo fell into a Debate for the nominating the Chief Commander for Military Affairs, and the Queſtion was propoſed to be put for Sir *William Waller* to Command in Chief, but it came not to the Vote; ſome others were likewiſe nominated, but the further Debate thereof was put off till to morrow ten of the Clock.

The Houſe was then informed, That according to the Letter to his Excellency, Lieutenant General *Hammond*, Colonel *Hammond*, Lieutenant Colonel *Pride*, &c. were come up, and attended at the door; the Houſe, after much debate, ordered they ſhould be called in; and Mr. Speaker acquainted Lieutenant Colonel *Pride*, That the Houſe was informed that he ſhould read a Petition (of which the Houſes had an ill Senſe) at the Head of Colonel *Harley*'s Regiment, and that there were threatning Speeches given out, that thoſe that did not Subſcribe it ſhould be caſhiered the Army, *&c.*

For anſwer he ſaid, That there was no Petition, either by himſelf, or by his appointment, read at the Head of the ſaid Colonel *Harley*'s Regiment, and that there was no menacing or threatning words uſed, and denied the whole Charge; and ſo did the reſt of them, and gave good ſatisfaction in anſwer to what was demanded of them; and after ſome debate thereupon, Mr. Speaker, by direction

direction of the Houſe, acquainted them what Senſe the Houſes had of the ſaid Petition, and deſired their care for the ſuppreſſing thereof, or any other of the like Nature for the future, and that they would go down to the Army to their ſeveral Commands, and ſo were diſmiſſed.

A Letter was this day preſented to the Houſe from his Excellency Sir *Tho. Fairfax*, directed to the Speaker, in anſwer to that ſent on *Monday* about the Petition on foot in the Army. The Letter, for better Satisfaction, is as follows.

For the Honourable *William Lenthal* Eſquire, Speaker of the Honourable Houſe of Commons.

Sir,

I received your Letter dated the 27th *of this inſtant, with an encloſed Order from the Houſe of Commons, for the making ſtop of the further proceed in a Petition, which the Houſe was informed was carrying on in the Army. In obedience to which, I ſent out Orders to the Officers of the Regiments Quartering in theſe Parts of the Kingdom, to meet at my Quarters, that I might enquire into the whole matter, and take ſuch courſe as might effectually conduce unto the accompliſhing your Commands; where having communicated your Letter and Orders to them, they did generally expreſs a very deep Senſe of their unhappineſs in being miſunderſtood in their clear intentions, which were no other, than by way of Petition to repreſent unto me thoſe inconveniences, which would neceſſarily befal moſt of the Army after Disbanding; deſiring, That as much as I ſhould judge fit and ſeaſonable might be ſubmiſſively made known to the Houſe of Commons, which otherwiſe (your multiplicity of buſineſs intervening) might not be remembred; aſſuring me, that they would wholly acquieſce, in whatſoever I ſhould judge reaſonable to offer, or you to grant on their behalf. I have alſo, according to your Command, ſent up Lieutenant General* Hammond, *Colonel* Hammond, *Colonel* Lilburn, *Lieutenant Colonel* Pride, *and Lieutenant Colonel* Grimes, *to attend the Houſes pleaſure. Who I hope will give you (as far as they are acquainted therewith) a full and candid account of the whole proceedings in this Petition.* Sir, *there is one clauſe of your Letter concerning all the Regiments marching this way, which I do not underſtand, except it be meant by Sir* Hardreſſe Waller's *Regiment, which I have remanded away at the inſtance of Major General* Skippon, *upon the gounds in his encloſed Letter; and Colonel* Hammond's, *and Colonel* Herbert's, *now upon their march to* Cheſter, *being diſmiſt from that Service.* Sir, *I truſt the Army will ever manifeſt their affections to the Publick, by their conſtant perſeverance in their accuſtomed Obedience unto all your Commands, which ſhall be ever really endeavoured by,*

Walden, March 30. 1647. Your moſt humble Servant,

Tho. Fairfax.

April 2. 1647.

THE Houſe of Commons, upon *April* the 2. (according to their former Order) Debated the Ordinance for the Militia of the City of *London*, and, after much Debate, it was referred to a Committee.

They then proceeded in the buſineſs of *Ireland*, and the Queſtion was put; whether the Commander of the Forces of *Ireland* ſhould be ſtiled Field Marſhal, and alſo concerning his allowance, whether it ſhould be 6*l. per Diem?* And in both 'twas carryed in the affirmative.

The Houſe then entred further into Debate, who ſhould be the Chief Marſhal of *Ireland*; and taking into conſideration the Gallantry, Worth, and Honour, of that faithful and renowned Souldier,

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dier, Major General *Skippon*, It was put to the Queſtion, and voted, that Major General *Philip Skippon* ſhould be appointed Chief Marſhal of *Ireland*, and have the allowance of 6 *l. per Diem*, none diſſenting.

The Queſtion was then alſo upon futher debate put, whether Colonel *Maſſey* ſhould be Lieutenant General of the Horſe, under the Chief Marſhal, ſome others likewiſe were nominated, but it was carryed in the Vote, that Colonel *Maſſey* ſhould be Lieutenant General of the Horſe.

The Lords ſent down a Meſſage to the Commons; That their Lordſhips had appointed a Committee to joyn with a Committee of their Houſe, to go into the City on *Tueſday* next, for the borrowing the ſum of 200000 *l.* for the Service of *England* and *Ireland*. And the Houſe of Commons hereupon appointed a Committee of their Houſe to joyn with that of their Lordſhips to go into *London*.

And they Ordered further, that ſeveral Members (that were of the City) ſhould acquaint the Lord Mayor, That he be deſired to call a Common Council againſt *Tueſday* next; At which time the Committee of both Houſes do come to propound ſome things to them from the Parliament.

Then the Houſe, according to former Order, adjourned till *Tueſday* next; and not Sitting on *Saturday*, nothing further came from any Parts worth the mention.

A Letter from Saffron Walden, April 3. 1647.

Sir,

WHilſt our Enemies appeared only as men out of Place and Authority, and we looked upon them as the common Enemies of the Kingdom, we conceived there might be ſomething done to vindicate our Actions upon the Publick Stage; but now the Diſeaſe is grown ſo Epidemical, that all our endeavours are like to prove invalid. And indeed thoſe who are now prejudiced againſt us, are our Superiours; nay further, thoſe whom we looked upon as our beſt Friends: (and the wounds of Friends are grievous;) who would have thought that ſo modeſt and moderate an Addreſs, as the late Petition drawn up to be Subſcribed by the Army, to be preſented to the General, would have raiſed ſo much duſt? Or, have the Souldiers only, who have been inſtruments to recover the loſt Liberties of the Nation, fought themſelves into Slavery? Sure there is right of Petitioning for us, as well as there was a Petition of right for the Parliament. If we had been ſo raſh, as at firſt adventure to have knock'd with a Petition at the Parliament's doors, it might have been cenſured as too Saucy and Malapert: For Souldiers to repreſent their grievances to their General, is a Liberty which the Law of Nature and Nations will not deny; for this was to go no further, but left to his Excellency to retract, or repreſent, as he thought either fit or ſeaſonable.

The firſt Vote of the Houſe of Commons for the ſtopping of the Petition ſeemed ſtrange to us, and we could not but have a very deep Senſe of our unhappineſs, in being miſunderſtood in our clear intentions, which are no other than by way of Petition to repreſent the inconveniences which muſt neceſſarily befal the Army after Disbanding, which the Parliament through multiplicity of buſineſs might not ſo well provide againſt; beſides ſome have already ſuffered for want of a general Act of Indempnity, and many Officers (as I believe is obvious to your Eyes) have been ſtarved for want of ſubſiſtence, whilſt they ſought to obtain their Arrears. But how great a cauſe of amazement and aſtoniſhment was it to us, to ſee a ſecond Declaration of both Houſes of the 30. of *March*, wherein that Petition is declared to tend to the putting the Army into a Diſtemper and Mutiny, to put Conditions upon the Parliament, and obſtruct the relief of *Ireland*;

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land; That they ſhould pronounce their high diſlike thereof, and that they would proceed againſt the promoters as Enemies to the State, and Diſturbers of the Publick Peace; but that which yet heightens the amazement is, that ſuch a Declaration ſhould be grounded upon Letters and Informations of ſo ſlight Credit, which if I might be ſo bold I might term both frivolous and fictitious. One of the Letters directed to Colonel *Harley*, ſays, that at a Rendezvous of the ſaid Colonel's Regiment, the Petition was read and ſigned by a 1100 Hands, and ſuch as refuſed it were threatned to be caſhiered. The Muſter-Maſter will tell you there was not 1000 Muſtered the laſt Muſter; and yet 1100 ſet their Hands, and the reſt 00000 were caſhiered: But this is not all the Diſcovery. The other Regiments were coming up; and ſays one, except the Parliament take high Reſolutions, they will enſlave the Kingdom. To anſwer this, there was none came from the North, but Sir *Hardres Waller*'s, and that was ſent for at Major General *Skippon*'s requeſt, who complained that the Country there was not able to bear it. And Colonel *Herbert*'s, and Colonel *Hammond*'s Regiments being about *Cheſter* ready for tranſportation for *Ireland*, but (their good will not accepted) coming back towards the reſt of the Army. But another Member acquaints the Houſe, that thoſe who would not ſubſcribe the Petition were to be left out of the Muſter-Roll. And another ſays, that he heard Lieutenant General *H.* and other Officers were to reſide at the Head Quarter to receive Subſcriptions: yet not one of them received a Paper or Subſcription, nor any brought in at that time. But this was not all; there was another Letter from an Officer of Colonel *Roſiter's* (who would do nothing without his Colonel's conſent) and he takes exceptions at nothing but at the deſiring the Royal aſſent: This Colonel *Fines* very excellently vindicated the ſame day in the Houſe; declaring that there was nothing deſired more than what the Parliament themſelves demanded in the Propoſitions; (but Colonel *Roſiter* had thanks, and his Regiment voted their Arrears.)

Sir, Give me leave a little to clear up the intentions of the Army: For that charge of Mutiny; I can aſſure you there was no ſuch thing, the Petition being generally approved of, and whole Regiments unanimouſly ſubſcribing it, except here and there ſome indifferent Commanders ſeemed to oppoſe it: The truth is, it is the Maſter-piece of our Enemies to ſuppreſs it in ſuch high Language, if it were poſſible to bring the Army to a Mutiny, and ſo put an *Odium* upon them at the laſt, which they could not hitherto faſten: For putting Conditions upon the Parliament; I dare ſpeak the hearts of the Petitioners (the Commanders I'm ſure) it never entred into their thoughts: And I may ſay the like for the obſtructing of *Ireland*, and add further, That the Parliament will find thoſe men, who were moſt forward in this Petition, more ready to go for *Ireland*, than any of the *Septem decem viri*, who only to curry favour and ingratiate, have tendered their Service (in a Declaration which I ſuppoſe you have ſeen) leaving the Conditions, Conduct, Indempnity, and Arrears at pleaſure; which indeed they may, for moſt of them will never come there.

Letters from Saffron Walden, *the General's Head Quarters, of Intelligence.*

Sir,

I Suppoſe you are not ignorant of the late Command ſent unto the General, to publiſh a Declaration at the Head of his ſeveral Regiments, requiring them to *deſiſt from going on in that Petition* they were about to preſent unto him; I thought fit by this to acquaint you, That in obedience to the Commands of the Parliament, his Excellency has cauſed the ſame to be publiſhed, and the Souldiers acquieſce therein (ſuch is their obedience and reſpect unto the General) though at the reading it, ſome of the Souldiers gave out, it was an hard Caſe with them, that they that had fought for the Liberty of the Subjects of *England*, *ſhould be denyed the Liberty* of the Subject *to Petition*, though it be to their General in an humble way, and meerly in things relating to them as Souldiers (medling neither with Church Government nor State Affairs) and withal ſubmitting it to the General's Judgment for approbation or correction, as he ſaw cauſe; and though they ſaid they did deſiſt in this Petition, yet ſince it was publiſhed to the World, that

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that their proceedings tended to ſuch a Nature, as to deſerve to *be declared Enemies* if they perſiſted therein, they purpoſe to publiſh to the World a Vindication of their Innocency, from thoſe groundleſs Opinions had of them, and hope to have Juſtice done upon the miſ-informers; this they ſay they intend to do in an humble and a ſubmiſſive way, and though their Mouths be ſtopt from a Liberty of Petitioning, yet their Honour is ſo dear unto them, that they ſay they are reſolved of a Vindication, ſo as it ſhall be neither offenſive to the Parliament, nor the General. To regulate Offences and allay Heats in Parliaments, ſometimes is more prevailing, than things tending to Provocation, and it had been wiſdom in the County of *Eſſex* in the firſt violent Petition, to have forborn to have publiſhed the ſame in Print, wherein they poſſeſs the World, That this *Army came to enſlave the Country*, and to awe the Parliment. I ſend you here encloſed a Copy of a *ſecond Petition* of that County, contrived and Printed privately in *London*, and ſent down hither in Print (no Man knows from whom) to the ſeveral Hundreds and Pariſhes, to be read the next Lord's Day in all Churches, as you will ſee by the direction. The Souldiers will not hinder others Petitioning againſt them, even in their own preſence, and yet they ſay they muſt be denyed to Petition for themſelves, be their Cauſe never ſo juſt. Who can blame the County of *Eſſex*? or any County in this Kingdom elſe, to deſire a preſent Disbanding, ſince the work is done? It is as much irkſome to us, when there's no need of Souldiers to Quarter upon the Country, as it can be to the Country to Quarter us; yet no Petition that hath been put out in Print lately againſt this Army, for the Disbanding of it, hath ever yet expreſſed ſo much Affection, Love, or Requital unto the Army, for what they have done for them, as to mediate or deſire, That as they would have them Disbanded, ſo that Care may be taken, the poor Souldier that hath been ſo faithful and expeditious in their Service, might be conſidered for their Arrears at the Disbanding. And what (ſays the Souldier) makes the Army lyable to theſe reproaches, unleſs it be for finiſhing their work ſo ſoon? And have they fought to maintain the Petition of Right, and be denyed a right of Petitioning themſelves? *Sir*, Having given you this brief account,

I Remain.

Walden, April 3. 1647.

April 5. 1647.

THE Houſe Sat not, having formerly ordered, not to Sit *Saturdays* or *Mundays* for a time.

Another Petition againſt the Army from *Eſſex*, was read in ſeveral Churches yeſterday by the Miniſters, to get Hands to it. The Souldiers (eſpecially the Horſe) are much troubled at this, and cry out, why may not we be heard in Petitioning, as to ſee Petitions in our own Quarters Subſcribed in an indirect manner againſt us? The Horſe hereabouts talk of drawing to a Rendezvous, or meeting to compoſe ſomething for Vindication.

Intelligence from Scotland.

Intelligence from *Scotland* adviſe, That a great noiſe hath been made of the coming over of a conſiderable number of *Iriſh*, to joyn with the Earl of *Antrim*'s Forces, but in the mean time it hath pleaſed God to proſper Major General *Middleton* in his undertakings againſt the *Gourdons*, and hath ſince taken a ſtrong Caſtle of *Strathbolgly*, which was the chiefeſt Hold the Marqueſs of *Huntly* had to truſt in. This Caſtle endured a very hot Storm, but at length the Defendants were beaten out of their Poſſeſſion, throwing down their Arms, and calling for Mercy for their Lives; which was granted, except to the Inhumane Rebels above twenty, who were taken in the Caſtle, and deſervedly hang'd. Major General *Middleton* is ſtill in purſuit of the Marqueſs of *Huntly*, endeavouring to prevent his joyning with *Colkitoth*.

The Parliament's Commiſſioners of *England* do ſtill remain at *Edinburgh*, where (during the interval of Parliament) there is a ſtanding Committee to order Affairs.

By other Letters from *Edinburgh*, of the ſame date, came more, thus. The Parliament of *Scotland*, Sitting at *Edinburgh*, adjourned on *Saturday* laſt, and the

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the adjournment is to be until the firſt *Thurſday* of the next *March*, 1647. But they have choſen a Grand Committee to Sit in the Interval; and power is given them by Commiſſion and Inſtruction to perfect ſuch buſineſs as ſhall come before them, until the next Sitting of Parliament.

Our Field News is very good, and *David Leſhly* hath taken in *Strobogie Bogg*, a *Ghight Leſmore*, and *Ward-Houſe*, two of them by Storm, and the other upon Quarter; There were 160 Priſoners taken, in *Strabogie* 1000 Bowls of Corn; there was not much hurt ſuſtained in ſtorming and taking of the place; beſides the many Noble Priſoners are taken coming in from the Rebels, 36 in all are hang'd, *David Leſhly* hath begirt other three of the Rebels Garriſons, letting them know that if they will not Surrender he will Storm them, and give none of them Quarter Thoſe Rebels ſcattered in the Mountains are vaniſhed, and few left in the Field elſe where.

On *Tueſday* laſt, *March* the 30. The Lord *Lauderdale* intended to ſet out from *Edinburgh*, towards *London*, with ſome others.

Edinburgh, *March* 30. 1647.

Upon Tueſday April 6. 1647.

THE Commons concurrence deſired by the Lords, for the enlargement of Captain *Kittleby*, who with his Ship deſerted the Proteſtants in *Ireland*, and came with it to the Ships which revolted from the Parliament.

The Houſe being informed, That irregular means have been uſed lately in the County of *Eſſex*, for getting of Hands to a ſecond Petition againſt the Army, which Petition was firſt promoted and contrived in *London*, and ſent down privately into *Eſſex*, to get Hands unto it.

The Houſe, to ſhew their diſlike of ſuch way of Petitioning, and the great diſcontent it may occaſion in the Army, in this juncture of time,

Ordered, That the Knights of the Shire ſerving for that County, ſhould write to the Inhabitants to deſiſt, and to give them to underſtand, that the Houſes were upon a way to diſpoſe of the Army, as may be beſt advantagious to the whole Kingdom. The Members of the Houſe that ſerve for the Counties of *Suffolk* and *Norfolk*, were likewiſe ordered to do the like.

The Houſe then alſo finiſhed Inſtructions for the Committee, who are to Treat with the Common Council of *London* this afternoon, about the Loan of the 200000 *l.* for the Service of *England* and *Ireland*. And accordingly this Evening a Committee of both Houſes met the Common Council at *Guildhall*, and acquainted them with the Houſes deſire for the Loan of the 200000 *l.* The Security propounded, was the remainder of the Biſhops Lands, the Exciſe, Delinquents Eſtates, or the new Ordinance for raiſing 60000 *l. per Menſem*, for *England* and *Ireland*'s Forces, and further left it to the City to propound what Security they ſhould think fit, in the Houſes Power to grant.

The Common Council looked on the buſineſs with much reſpect, and there appeared a willingneſs in them for the Loan of the Monies, upon ſome further Conditions to be offered; and upon the Reſult of all, this anſwer only at preſent was given; That the Common Council would chuſe a Committee of their Members to bring in an anſwer, which ſhould from them be given to the Houſes.

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Upon April 7. 1647.

ACcording to former Order, the Houſe reaſſumed the Debate of the Ordinance for 60000 *l. per Menſem*, for the Service of *England* and *Ireland*, and after the Amendments were reported, they were aſſented unto, and then a Clauſe was offered to be inſerted in this Ordinance, for freeing and exempting all Colledges of the Univerſities, Alms-Houſes, Free-Schools, Hoſpitals, *&c.* from payment to this Ordinance, and this was referred to a Committee.

Another Clauſe was offered to be inſerted into the ſaid Ordinance, which was for abating all the Counties of the Kingdom Free-Quarter in payment of their Aſſeſsments, and this was agreed unto.

Many others were offered, but nothing done upon them.

The Houſe then Ordered, That this Ordinance ſhould commence from the 25. of *March* laſt. And they Ordered that it ſhould be ſent to the Lords for their Concurrence.

A Letter was (*April* 7. 1647.) read in the Houſe of Commons, from the Parliament of *Scotland*, dated before their adjournment, in the behalf of Viſcount *Montgomery*, Lord *Ards*, Colonel of the old *Iriſh* Eſtabliſhment, who was taken Priſoner laſt year by the Rebels, deſiring that his Arrears may be paid him to procure his Redemption; The Commons voted to referr it to the Committee at *Derby-Houſe* for *Ireland*, to conſider if they can find out any way for Exchange, and the Lords Concurrence was deſired herein.

Another Letter was read from General *Leventh* out of *Scotland*, expreſſing his great Engagements, and thanks to the Houſe for the great Honour and Favour in beſtowing the Jewel on him. The Houſe Ordered 20 *l.* (beſides the former Mony) to be paid to the Meſſenger.

A Letter was alſo delivered to the Houſe, from his Excellency the Lord *Liſle*, Lord Lieutenant of *Ireland*, but by reaſon of their great buſineſs, it was not then read.

The Commons added twelve of their Houſe to the Committee for *Ireland*, at *Derby-Houſe*, and they ſent a Meſſage to the Lords, that they would nominate a proportionable number of theirs to joyn with them. They likewiſe Ordered that the Committee for *Ireland*, ſhould have Power to ſecure the Horſes and Arm of all ſuch as ſhall not be liſted for *Ireland*, and likewiſe to tranſport thoſe that are deſigned thither, to the end the Countries may not be burthened by them.

The Lords took into Conſideration the buſineſs concerning Country Committees, and it was moved to have a Conference with the Commons about putting them down. The further Debate thereof was referred till another day.

Several Meſſages were ſent from their Lordſhips to the Commons, about the Earl of *Bath's* and Captain *Kittleby's* Petitions, *&c.*

The Houſe Ordered to ſend Anſwers by Meſſengers of their own.

To

23 *Caroli.*

To the Right Honourable, the Knights, Citizens, and Burgeſſes aſſembled in Parliament. The humble Petition of the Inhabitants of the County of *Eſſex*,

Humbly Sheweth,

Eſſex Petition to Disband the Army. *April* 6.

THAT in all Exigencies having freely and with the firſt engaged themſelves to the utmoſt hazard of their Lives, and exhauſted their Eſtates for the ſupport of the Kingdom in its Native Rights and Liberties, and by God's Bleſſing the ſucceſſes have been anſwerable in ſome degree to their deſires, by which we ſit in Peace, and your ſelves in Security, with a full Poſſeſſion of the hearts of the People; and now fearing leſt by the miſcarrying on the Military Charges, beyond the neceſſity of the Work, and the ability of the People now much weakened, by a Dearth ſharper than the late devouring Sword, you ſhould hazard the loſs of your ſelves and friends, not ſo much from the alienation of their affections, which yet is not to be neglected, as their diſabilities to ſerve you, which may ariſe from the Army now on Foot, after ſix Months Ceſſation of all Hoſtility here, and ſo bleedingly called for to the ſaving of any other Kingdom, as alſo from ſo numerous a Party in this County; ſhortly by their Quarters, like to equal all precedent Charges, and to Surmount the worſt and heavieſt of our former Taxes, eſpecially by the manner of their being impoſed upon us.

Your Petitioners do humbly offer to your prudence the Speedy Disbanding of the Army, *as a plenary expedient againſt the worſt, that in general may be feared by you and us. And the removal of it from this County, by which you ſhall continue abſolute Maſters and Diſpoſers of them and theirs, in all your pious and painful undertakings for the future; and that God will aſſiſt you for all your ſafeties, is and ſhall be the daily prayers of your Petitioners,* &c.

The Miniſter is deſired to publiſh this Petition *April* 4. and to have two ſheets of Paper, to take the Names of thoſe that will freely joyn in it, the one to be preſented to the Houſe of Lords, and the other unto the Houſe of Commons.

This Petition was ſent from *London* to *Joſeph Hall*, High Conſtable in little *Bardfield*, and they are to be publiſhed in every Pariſh Church in this County of *Eſſex*, and in every Pariſh to gather Hands to it, with this further direction written in the Printed Paper, wherein they are deſired (as many as can conveniently) to meet at *Shealford Langthrine* the 8. of *April*, to go to *London* with the ſame.

Upon April 8. 1647.

THE Houſe of Commons proceeded in the buſineſs of *Ireland*, and voted Colonel *Jones* to be Governour of the City of *Dublin*.

The Lords ſent down the Names of the ſix additional Members of their Houſe, to be added to the *Iriſh* Committee at *Derby-Houſe*, *viz.* The Earls of *Lincoln*, *Suffolk*, and *Middleſex*, Lords *Dacres*, *Willoughby*, and *Maynard*.

The Houſe of Commons likewiſe Debated, and approved of the Contract brought in by the Committee for *Ireland*, upon the Ordinance for Proviſions already ſent, and for which the Committee have contracted to be ſent into that Kingdom. Likewiſe the Contract with Mr. *Davies* for Corn to be ſent thither, was debated and approved on.

Ordered likewiſe, that Colonel *Sidney* be conſidered of, for his faithfulneſs and good Service to the State in convenient time, and the Lords Concurrence was deſired in theſe Votes.

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Then the Houſe of Commons (according to former Order) entred upon the buſineſs of the Body of Horſe, who are to be continued in this Kingdom; and particularly they fell upon nominating the Regiments and Officers of Horſe, who are to be continued in the ſeveral Counties, or otherwiſe, as occaſion ſhall require; and having formerly voted the *York-ſhire* Horſe under Colonel General *Poynth*, Colonel *Bethell*, and Colonel *Copeley* to be continued, they now proceeded and voted,

The General Sir *Thomas Fairfax*, his own Regiment to be continued.

Lieutenant General *Oliver Cromwell*, his Regiment continued.

Colonel *Graves* (who Commands the Party at *Holmby*) with his Regiment in *Warwickſhire*, continued.

Colonel *Roſiter*, his Regiment about *Lincolnſhire*, continued.

Colonel *Whayley*, his Regiment about *Suſſex*, continued.

Colonel *Needham* (formerly Governour of *Leiceſter*) to Command a Regiment to be drawn out of the Forces of *Shropſhire*, *Staffordſhire*, *Cheſhire*, *Warwickſhire*, and *Leiceſterſhire*.

The Houſe then took into Conſideration the continuing of ſome Horſe, for the Defence of North-*Wales* and South-*Wales*, and they voted that Major General *Mitton* ſhall have 100 Horſe and 100 Dragoons for the ſafety of North-*Wales*, to be under the Command of his Excellency.

That Major General *Laughorn* ſhall have the ſame number for the ſafety of South *Wales*, under his Excellency.

A Letter was this day brought from the Parliament's Commiſſioners at *Holmby*, to the Houſe, giving them to underſtand; That notwithſtanding all the care which they have taken to prevent any from delivering Papers to his Majeſty, which they have been conſtantly vigilant to prevent, Yet one Colonel *Boſvill* (formerly an Officer in the King's Army) of the Lord *Cleaveland*'s Regiment, diſguiſed himſelf in a Country-man's Habit, and as his Majeſty (with the Commiſſioners) was paſſing over a narrow Bridge, he put a Pacquet of Letters into his Majeſty's Hands. The Commiſſioners apprehended him, he confeſſed they came from *France*; his Examination is ſent up from the Commiſſioners, deſiring to know what to do herein; but of the effect of the Letters, there is nothing known as yet.

After the reading of the Commiſſioners Letter, and Colonel *Boſvill*'s Examination, They Ordered that the ſaid Colonel *Henry Boſvill* ſhould be ſent for to the Houſe as a Delinquent, by the Serjeant at Arms attending the Houſe.

They Ordered likewiſe, That a Letter of thanks ſhould be ſent to our Commiſſioners for their care herein, and deſire them to take the like care of preventing private Intelligence to his Majeſty for the future.

On April 9. 1647.

THE Houſe further proceeded as to the buſineſs of *Ireland*, and Ordered, That the Officers employed for the Service of *Ireland*, ſhall have greater pay allowed them than thoſe to be continued in this Kingdom. That the Commanders and Governours of all Forts, Towns, and Caſtles, having above 200 men under their Command, ſhall have above a Captain's pay, according to the Eſtabliſhment. And in further purſuance of this buſineſs, it was referred

referred to a Committee to draw up an Eſtabliſhment for the Forces of the two Kingdoms of *England* and *Ireland*, and to report it to the Houſe, and with all theſe additions agreed on. That the Officers to be imployed for *Ireland*, ſhall have a proportion of Land in *Ireland*, for that part that is reſpited upon the publick Faith.

That the Committee for *Ireland*, ſhall have power to grant Commiſſions to the Officers to be employed for *Ireland*.

That the Committee for *Ireland*, ſhall have power to draw the Forces that undertake for *Ireland* into Regiments, and take care for the ſafe tranſport of them.

The Houſe then had into Debate the buſineſs of the Church, and Ordered that on *Thurſday* fortnight, the Houſe do Debate the buſineſs of the Church for fourteen days together, and in the Interim no private buſineſs to intervene. And further Ordered, that ſuch Miniſters as are recommended from the Lords to be put into Livings, be referred to the Aſſembly to be examined concerning their abilities for the Miniſtry.

A Meſſage came down from the Lords, for a Conference for taking away Country Committees, and a Conference about that buſineſs was had accordingly, and ſeveral Reaſons were given by the Lords at this Conference for the taking away Committees, which Reaſons the Commons have appointed to take ſuddenly into Conſideration, and give their Lordſhips an anſwer. The Commons then further conſidered the Ordinance for appointing new Commiſſioners for the Great Seal. Finding ſome ſtop in the Lord's Concurrence in that Ordinance, that no Obſtruction may be to the publick prejudice, They Ordered the preſent Commiſſioners ſhall be continued for twenty days longer.

After this the Houſes adjourned till *Tueſday* next, and there was nothing of moment on *Saturday*.

On April 12. 1647.

FROM *Holmby* by Letters ſomething further came this day of the Pacquet from *France*, delivered privately into the King's Hands the laſt week by the Gentleman diſguiſed; and the buſineſs is thus certified. His Majeſty the other day going to Bowls, there was one Major *Boſvil* (who in a plain Country Habit) preſented his Majeſty with a Pacquet of Letters ſo ſecretly, that none of thoſe (that attended him) perceived it. The Major having done his buſineſs, eſcaped three quarters of a Mile, but being perceived by a Miller, who looked lower than the reſt, he cryed, Nobles and Gentlemen, there was a Man gave his Majeſty Letters; which the Major perceiving (others not hearing) offered him Gold to keep ſilent, but the Miller would have none. Some that attended his Majeſty at a greater diſtance than ordinary paſſing by after, the Miller told them, there was one had given his Majeſty Letters; they demanded where he was, he told them he went ſuch a way, they rode after him, over-took him and brought him back. Being examined, he ſaid he came from *Paris*, and brought the Letters from the Queen's Majeſty and others; They demanded of him what they contained, he told them he knew not; only the Lady *Culpepper* told him, that they contained a deſire of the Prince, to go along to the War this Summer with the Duke of *Orleance*, who Commands the Army in *Flanders* againſt the *Spaniard*, and that the

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the Prince conceived it neceſſary in point of Honour, but both his Mother Queen and the Queen Regent was againſt it.

It was deſired of his Majeſty, that he would make known the Contents of thoſe Letters; he anſwered he was not to give an account to any Man living.

Major *Boſvil* is ſending up to the Parliament.

On April 13. 1647.

THE Houſe of Commons proceeded in the buſineſs of *Ireland*, and more particularly of an Eſtabliſhment of pay who will go thither, as reported from the Committee at *Derby-Houſe*; and that they may have the more encouragement, it was

Ordered, That thoſe that went ſhould have the ſame pay that they had under the Command of Sir *Thomas Fairfax*; and for Officers, whereas they had for half their pay publick Faith, they that go for *Ireland* ſhall have that half pay in Rebels Lands, and they who formerly adventured for Land in *Ireland*, according to the ſame rate.

It was this day further agreed on by both Houſes, That the Earl of *Warwick*, Lord *Dacres*, Sir *William Waller*, Sir *John Clotworthy*, and Major General *Maſſey*, go down to the Army, and make ſome further Propoſitions to the Officers and Souldiers that will go for *Ireland*, and accordingly this Committee of both Houſes ſet forwards from *London* to the Army this afternoon.

The Eſtabliſhment agreed on by the Commons this day, for the Forces to be continued in both Kingdoms, take as followeth.

Officers of Horſe in this Kingdom.

A Colonel ſhall have 12 *s. per Diem*, and for four Horſes 6 *s. per Diem.*
A Captain 10 *s. per Diem*, and two Horſes 4 *s.*
A Lieutenant 5 *s.* 4 *d. per Diem*, and two Horſes 4 *s.*
A Quarter Maſter 4 *s. per Diem*, and one Horſe 2 *s.*
A Provoſt Marſhal 3 *s.* 4 *d.* and two Men 4 *s.*
Corporals and Trumpetters each 2 *s.* 6 *d. per Diem.*

Foot Officers in this Kingdom.

A Captain 8 *s. per Diem.*
A Lieutenant 4 *s. per Diem.*
An Enſign 2 *s.* 6 *d. per Diem.*
Serjeants, Drummers, Corporals, each 1 *s. per Diem.*

They Ordered no Officer ſhall be above a Captain in any Garriſon, but the Governour.

That the Governours of *Cheſter*, *Plymouth*, *Hull*, *Pendennis*, *Leverpool*, *Glouceſter*, *Linne*, *Newcaſtle*, and *Portſmouth*, ſhall have 12 *s. per Diem* as Governours, and 8 *s. per Diem* as Captains.

That the Governours of *Weymouth*, of the Fort and Caſtle of *Briſtoll*, and *Tinmouth*, ſhall have 7 *s. per Diem* as Governours, and 8 *s. per Diem* as Captains.

They alſo made an Eſtabliſhment for thoſe that had under 50 in their Garriſons, and thoſe that had above 50.

That the Forces in *Portland* ſhall be reduced to 50.

They Ordered that they approved of Colonel *Sheffeild*'s going into *Ireland* with his Regiment of Horſe.

That in reſpect of Captain *Howard*'s good Services, he ſhall have a Regiment in *Ireland*. That

23 *Caroli.*

That the Foot that goes for *Ireland*, ſhall have Coats and Knapſacks allowed them above their pay.

That the Forces that go for *Ireland*, ſhall have Debentures made up in their abſence for their Arrears in the ſervice of this Kingdom.

That what is reſpited upon the publick Faith to the Officers employed for *Ireland*, the ſame ſhall be paid them out of the Land in *Ireland*, as if they had adventured.

Letters were read this day from the Lord *Liſle*, Lord Lieutenant of *Ireland*, which expreſs his Lordſhips readineſs to ſerve the Parliament to the utmoſt in the Service of *Ireland*, if they think fit to employ him further, if not he is willing to return when they ſhall ſo order it, and in the mean time to do what Service he may for their aſſiſtance againſt the Rebels.

The buſineſs of ſending Propoſitions to the King ſhould have been Debated this day, but this Grand buſineſs of *Ireland*, and the Eſtabliſhment for the pay of the Forces of both Kingdoms, hindered the ſame.

There came this day a Citizen, and gave himſelf Priſoner to the Serjeant of the Commons Houſe, telling him he had a great and dangerous Plot to Diſcover; thereupon a Committee was appointed to examine him and take his Diſcovery, but he would not at preſent ſay any thing, having (as he ſaid) acquainted Mr. *Marſhal* and Captain *White* of *Weſtminſter* therewith; he gave general Intimation, that the deſign was againſt the Parliament at *Weſtminſter*.

The Commons ſent a Meſſage to the Lords, deſiring their Concurrence to ſeveral particulars. As to the Votes concerning the Forces to be continued in *England*.

The Ordinance for the repayment of the Monies, for the firſt reducing *Newcaſtle*, for 300 *l.* to be given to the Gentlemen that came from the Parliament of *Ireland*, and to carry them back.

From *Weſtcheſter* came by Letters this day thus; There is not any thing came from *Dublin*, ſince the putting to Sea of Colonel *Caſſell's* Regiment. There are about 600 of Colonel *Hungerford's* Regiment come to theſe Parts.

The Mutiny of the Souldiers in North *Wales* for Arrears continues; They ſtill hold in Priſon ſeveral Committee men in *Richam* Church, Colonel *Mitton* is gone for *Shrewsbury*, Colonel *Alderſon* is come to this Town; other chief men in the Country, not in their Hands, have taken refuge in *Conway* Caſtle, which they threaten to Beſiege, and ſay they will have Money before Disbanding.

By Letters from *Cork*, dated *March* 26. 'tis adviſed, That the Lord *Liſle*, Lord Lieutenant of *Ireland*, remains there, but is in no condition to take the Field, having no addition of Power ſince his firſt arrival; he hath Fortified the Places upon the Black-water, and according to firſt Reſolutions ſettled the Garriſons, and is now ready (had he Horſe and Foot, the Seaſon beginning to be good) to take the Field, and to ſhew himſelf a faithful and true Servant to the Parliament: As for the Rebels they are quiet, and ſtir not in thoſe Parts.

From *Scotland*, dated *April* the 6. is thus certified. *David Leſhly* hath taken in *Anthenden* Caſtle, which was Surrendered upon Summons, Colonel *Lewis Gourdon* Governour, and the Men 30 in number Priſoners at Mercy; he hath alſo taken another Houſe near *Bruntricke*, Commanded by one *Mortimor* (an Arch-Rebel) who capitulated for his own Life, the reſt to the number of 26 were hanged,

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hanged, and when he hath taken two or three Places more about *Bucquaine*, it is believed he will march through the Vale.

Since the mentioning of the former Letter from *Cork*, came a Letter from *Brandon*-Bridge, *March* 20. 1646. and it ſpeaks ſadly, as by the ſequel.

Sir, Since this my laſt Letter, News came here to Mr. *Ellwell*, That there is a Diſcovery of the unparrallel'd Murthers committed by *Kerry*-men (*viz.*) That near about 60 Men, Women, and Children were ſtripped in *Kerry*, and coming from thence towards our Proteſtant Quarters, were taken and thrown into a deep Rocky Cave, about the *Mangerton*, and impoſſible to get out, ſome having broke Arms, Leggs, with other Limbs fractured, and moſt grievouſly wounded, lay there and ſtarved, being impoſſible to relieve them.

On April 14. 1647.

THE Houſe of Commons Ordered, That a Letter ſhould be written to Colonel *Mitton*, that he ſhould take ſpecial care to expedite the ſlighting and demoliſhing of the Caſtles and Garriſons in North-*Wales*, according to the former Order of the Houſe.

The Houſe of Commons reſumed the Debate according to former Order, concerning the procuring his Majeſty's anſwer to the laſt Propoſitions of both Houſes, preſented to his Majeſty at *Newcaſtle*, and likewiſe to the Bill for the Sale of Biſhops Lands.

The Houſe had much Debate herein, and Ordered that a Committee ſhould be appointed to draw up Inſtructions for ſuch Commiſſioners for Sale of Biſhops Lands, as ſhall be named by both Houſes for this purpoſe, and a Committee was choſen accordingly.

A Petition was this day read to the Houſe, in the name of the reduced Officers, late under the Command of *Ferdinando* Lord *Fairfax*, moſt of which raiſed their Troops at their own charge, and upon Disbanding had not their two Months pay, or fifth part paid them as others had.

A Letter was likewiſe read from his Excellency Sir *Thomas Fairfax*, on behalf of the Petitioners; upon the Debate of the buſineſs, the Houſe Ordered to give them a fifth part of their Arrears, and this Mony to be charged on *Goldſmiths-Hall* in courſe.

On April 15. 1647.

A Report was made to the Houſe of a Conference had with the Lords, concerning the Lords alterations in the Ordinance for the Univerſity of *Oxon*, That the Lords concurred with the Houſe of Commons in all things, except the addition of Names to the ſaid Ordinance, giving Reaſons why the ſame ſhould not be added.

The Houſe of Commons Ordered to adhere to the Addition of Names, as they were ſent up to the Houſe of Peers, and for this purpoſe appointed a Committee to draw Reaſons to ſatisfie their Lordſhips, why the ſame ſhould ſtand.

They Ordered that the Committee for this Ordinance ſhall meet and conſider of a fitting Maintenance for the Maſters and Heads of the two Univerſities.

That the Committee to conſider of giving competent Maintenance to the late Biſhops, ſhould meet conſtantly, till they have diſpatched that buſineſs; and this Order was, grounded upon a Petition from ſome of them.

That

23 *Caroli.*

That the Committee for *Ireland* ſitting at *Derby-Houſe* do meet daily, notwithſtanding the Adjournment of the Houſe.

That the Committee for *Ireland* ſitting in the Star-Chamber, ſhall ſign all Warrants for Monies for the Service of *Dublin*.

The buſineſs for ſettling the Militia of *London* was then taken into Conſideration, and an Ordinance was read giving power to the Lord Mayor, Aldermen, and Common Council of *London*, to Select thirty one Perſons of the City, to govern the Militia of the City and the Liberties thereof, for one year and no longer, which was read and aſſented unto.

Upon April 16. 1647.

THE Houſe further conſidered of Proſecuting the Affairs of *Ireland*; and

Ordered, that 12000 *l.* ſhould be advanced upon the Credit of the 200000 *l.* to be borrowed of the City, for the Tranſporting of the Forces deſigned for *Ireland*.

That the Lord Mayor ſhould be deſired to call a Common Council concerning the 200000 *l.* to be borrowed of the City, to the end the Houſe may receive ſatisfaction therein.

On April 17. 1647.

THE Houſes ſate not; But there came a Letter of the Proceedings of the Commiſſioners ſent down to the Army, *viz.*

That on *Thurſday* there came to *Walden*, the General's Head Quarters, The Earl of *Warwick*, Lord *Dacres*, Sir *William Waller*, Lieutenant General *Maſſy*, and Sir *John Clotworthy*, Commiſſioners appointed by the Committee at *Derby-Houſe*, to make Propoſitions to the Army for *Ireland*; concerning which buſineſs, I ſuppoſe you are deſirous to receive ſatisfaction; and upon ſtrict inquiry (with what alſo I was my ſelf an Eye Witneſs) have ſent you this account. His Excellency invited the Commiſſioners to Dine with him on *Thurſday*, and had before ſent forth Orders to every Regiment, for the Officers to meet at the Head Quarters that Afternoon; many Officers appeared, and met at the Church in *Walden*, where after ſome Conſultation about the buſineſs of going into *Ireland*, there were nominated Lieutenant General *Hammond*, Colonel *Lambert*, Colonel *Rich*, Colonel *Lilburn*, and Colonel *Hewſon* to repreſent their Senſe to the Commiſſioners. After Dinner near 200 Officers came down to the General's Quarters, where the General and Commiſſioners were preſent; The Commiſſioners cauſed the ſeveral Votes of both Houſes to be read concerning their Power to tranſact, and make Propoſitions to ſuch as willingly would undertake for *Ireland*. The Conditions I ſuppoſe you have heard, and therefore I ſhall not particularize them. They alſo read the Votes for the payment of ſuch Forces as ſhall remain in *England*.

Theſe Votes being read by the Earl of *Warwick*'s Secretary, the ſaid Earl made a Pathetical Speech, uſing many Exhortations to the Officers to accept of thoſe Terms, and undertake for *Ireland*, ſetting forth both the neceſſity and concernment of that Service, and the great Honour many had got by being Souldiers abroad; His Excellency encouraging the Officers to engage themſelves in the Service, and much preſſed them with the neceſſity thereof.

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After this it was desired by Colonel *Lambert*, in the name of the Officers, to know what satisfaction the Parliament had given to those four Queries they made at the last Convention, concerning Arrears, Indempnity, Maintenance in *Ireland*, and Conduct: Sir *John Clotworthy* endeavoured to possess the Officers, that by the aforesaid Votes they were all answered, except that of Indempnity; and of that he said, no doubt but the Parliament would take care, and had given Instructions to the Judges in the mean time, not to receive any Indictments against Souldiers for things done in *tempore & loco Belli*, till the Ordinance could be brought in. But then it was moved concerning Commanders. He answered, Major General *Skippon*, and Major General *Massy* were named by both Houses for General and Lieutenant General; for other Commanders, the Parliament had not yet nominated any. To this was objected, That some of the Officers understood of the unwillingness of Major General *Skippon* to take that Employment; Sir *John Clotworthy* said the House had no such Information, and that there came a Letter from the Major General to the House on *Wednesday*, whereby they perceived he had not then received the Votes of both Houses of his being General, so that there could be no ground to think that he would refuse it, till he had declared himself so to the Parliament. Colonel *Hammond* declared, that if they had assurance that Major General *Skippon* would go, he doubted not, but a great part of the Army would engage in that Service, which otherwise would not, such is the great endeared Respect, and high Esteem the whole Army in general have of the Worth and Valour of that great Souldier. And this was further seconded with a Proposition, that if they might have the General Officers of whom they had so much Experience. To this the Officers cryed out all, all; and others, *Fairfax*, and *Cromwell*, and we all go. The Commissioners seeing they could make no Impression upon the Officers in general, without satisfaction in Conduct, (which is so much desired) in the Issue declared, that such of the Officers as would go for *Ireland*, upon the above mentioned Conditions, should come to their Lodgings in the Town, where they would give them further satisfaction. Hereupon the Convention was dismissed, and the Town very full before, was suddenly emptied; there being only Lieutenant Colonel *Perkham*, Captain *Kempson*, Captain *Dorme*, and five or six other Officers of Colonel *Lilburn*'s Regiment, and some few others from other Regiments, that have yet presented themselves to go for *Ireland* upon the above specified Conditions; the rest of the Officers who were in the Church, drew up and subscribed this Declaration following, to prevent the Misrepresentation of their proceedings, wherein they said they formerly suffered prejudice, *viz.*

Saffron Walden,
April 15. 1647.

Officers of the Army named, to represent to the Parliament their proceedings.

WHereas the Officers of the Army being met together, by Order from the General, in pursuance of the desires of the Committee of Lords and Commons for *Irish* Affairs at *Derby-house*, and to advise what satisfaction to give the Commissioners now come hither, upon their Demands to the Propositions of both Houses, concerning the business of *Ireland*, It was agreed by all the Officers there convened, whose names are Subscribed, That Lieutenant General *Hammond*, Colonel *Hammond*, Colonel *Lambert*, Colonel *Lilburne*, Colonel *Hewson*, and Colonel *Rich*, should be desired to represent the Sense of the rest of the Officers as followeth.

1. To

1. To repreſent their deſires, to know what was done in reference to the laſt Propoſitions ſent unto the Parliament by way of Query.

2. To repreſent, That all thoſe who in their own Perſons do not engage for *Ireland*, would be ready to promote the Service.

3. That if the ſame Conduct they have had, under which God hath ſo exceedingly bleſſed this Army and Kingdom, might be continued alſo as to the Service of *Ireland*, it would conduce much to their Encouragement and Perſonal Engagement.

Laſtly, That there was nothing afterwards delivered at the meeting with the Commiſſioners by any of the aforeſaid Gentlemen, but what was generally approved of as the Mind and Senſe of all the Officers. This Declaration was ſubſcribed preſently by 100 Officers, and the Horſe Officers all generally ſubſcribed it on *Friday*.

Sir, This is all the account I can give you of this Tranſaction, I ſhall leave it to your Obſervation to conſider, what it is that will much expedite the Officers in their Engagements for *Ireland*. His Excellency hath this day granted a Warrant to Captain *Howard*, to draw Colonel *Fleetwood*'s Regiment to a Rendezvous at ſuch time and place as he ſhall think fit, to make known what he hath to ſay for their Encouragement to go into *Ireland*. There is ſince alſo ſome of the Officers of the General's Regiment that have ſubſcribed to go, and ſome in Colonel *Rainsborough*'s, one Captain and ſome Lieutenants in Colonel *Hammond*'s, few Horſe Officers, but Captain *Howard*, Colonel *Sheffield*, and ſome of Colonel *Rich*'s Regiment, Colonel *Butler*, Major *Fincher*, Major *Alford*, and Major *Ducket*, whoſe Subſcriptions are ſent up to the Parliament. The General hath at the deſire of the Commiſſioners granted an Order, that the Officers ſhall draw out as many of their men as will engage and March with them to *Bridge-North* in *Shropſhire*. I ſhall not trouble you further at preſent.

April 16. 1647.

Your Servant.

On April 19. 1647.

THE Houſes not ſitting, we will briefly collect ſomething only of what came by Letters from other Parts of the Kingdom. And firſt from *Holmby:* We underſtand the *Dutch* Ambaſſador came thither laſt *Thurſday*, and had Audience in Publick that Afternoon, and acquainted his Majeſty with the Death of the old Prince of *Orange*.

The King continues very pleaſant, ſpends ſome time at Bowls and other Recreations, and ſome time for Study.

The Earls of *Lauderdale* and *Dumfarling*, came this day to *London* from *Scotland*, with Commiſſion to joyn with the Commiſſioners of the Parliament of *England*, to preſs the King to take the Covenant, and ſign the Propoſitions.

From *Weſtcheſter* came Letters this day thus, The Regiment of Colonel *Caſſel*'s is arrived at *Dublin*, Colonel *Hungerford*'s Regiment 600, to which will be added 200, and will away with the firſt fair Wind; no news of Colonel *Birch* his Regiment, yet Captain *Parſon*'s Troop, which hath lain ten weeks in the *Weſt*, to go to *Munſter*, is come to this Town; they go with others, in all 340, to *Dublin*, under Colonel *Jones*, and will paſs when Sir *Robert Meredith*, Sir *Robert King*, and Mr. *Anſley* Commiſſioners go for *Dublin*. Beſides theſe Forces are gone for *Munſter*; The Regiments of Colonel *Long*, and others are skipping from *Briſtol*.

They ſay the Lord of *Ormond* is to be made a Marſhal of *France*.

The Lord *Digby* is now in *Dublin*, and brought with him a new *French* Agent over thither

An. 1647.

On April 20. 1647.

A Great Company of the Apprentices of *London* attended the Houſes, in purſuance of their former Deſires for days of Recration, and they preſented a ſecond Petition to the Houſe of Commons, deſiring an Anſwer of their former, and that ſome ſpeedy ſatisfaction might be given to the Petitioners.

The Commons had a great Debate about the ſame; and after referred it to a Committee, to draw up an Ordinance for the aboliſhing of all Feſtival and accuſtomed Holy days, and for the appointing the ſecond *Tueſday* in every Month, a day of Recreation for all Apprentices, Scholars, and Servants in the Kingdom, with ſuch Bounds and Limits ſtill to be obſerved againſt Tumults, Diſorders, unlawful Sports, *&c.* on that day.

The buſineſs of the Church, appointed to hold for fourteen days, was renewed this day; and the Obſtructions to the Government of the Church in the Presbytery, and the Amendments to be Remedies thereof, were reported to the Houſe, and much Debate had thereon, and at laſt aſſented unto, and the Lords Concurrence to be deſired. An addition to the ſeveral Claſſes of *London* and the Liberties was likewiſe read and paſſed.

The Anſwer of the City concerning the advance of 200000 *l.* was this day reported to the Houſe from the Common Council alſo, and the Cities Propoſitions for their Security for the ſaid ſum, which conſiſted of ſeveral Heads, (*viz.*) the Remainder of Biſhops Lands, after the 400000 *l.* and Expences are paid out, likewiſe the Lands of Delinquents excepted, and alſo ſuch Papiſts as have been in actual War, *Goldſmiths-Hall* and the Exciſe in courſe, others failing.

The Houſes hereupon Ordered, That the City of *London* ſhall have the Remainder of Biſhops Lands, Papiſts, and excepted Perſons Eſtates (their Debt before *April* 1642 being firſt ſatisfied) and the Exciſe in courſe for their Security for this Mony, and an Ordinance to be drawn up to this purpoſe.

The Houſe had further Debate and Ordered, That the 12000 *l.* formerly Ordered for the Service of *Dublin*, to be borrowed upon the Security of the 200000 *l.* be made up 20000 *l.* and that it be employed for the Service of *Ireland*.

From the Army, by Letters dated *April* 19. We underſtand that the proceedings of the Commiſſioners for getting Horſe and Foot to go for *Ireland*, proves not ſo effectual as was expected, there being very few diſpoſed that way, unleſs with their own Commanders. Lieutenant Colonel *Kempſon* gave Orders for Colonel *Lilburn*'s Regiment to March this day towards *Cheſhire*, ſome giving out the Colonel was now diſcharged of it; but the Souldiers imagined the deſign was for *Ireland*, and Colonel *Lilburn's* Captain Lieutenant told his Company they ſhould have no pay till they advanced further from the Army, thereupon ſixteen of them (though at firſt afraid to engage in the buſineſs) reſolved to complain, ſeeing they were likely to be led into *Ireland* againſt their conſent, their Lieutenant Colonel having not propoſed Conditions to them, nor made known the Votes of the Parliament, and their Colonel having Ordered their March another way; coming into the Head Quarter, they were brought to the General, they declared to his Excellency their Complaint; his Excellency

23 *Caroli.*

lency told them, as to Pay he would take order with their Captain, but withal uſed ſome Arguments to move them to go for *Ireland*; they cried that they would be willing to go for *Ireland* with his Excellency, and their other Commanders; but for thoſe Officers who had undertaken to lead them, they had not well uſed them here, and they might juſtly fear worſe Uſage in *Ireland*; and they had ſerved the Parliament, ſome three, ſome four Years, and now deſired to return to their Trades; that the whole Company was of that mind. The General went preſently to the Commiſſioners, to acquaint them therewith: Declared his deſire, that as the Service might be promoted, ſo the Soldiers might be fairly dealt with, and the work better advanced, than by engaging Men in indirect ways; to that purpoſe, that the Votes of the Houſe might be read to them, that they might know their Conditions, and that thoſe who ſtayed here might not loſe their Pay. This was thought reaſonable, and the General had before given order for the drawing up of the following Letter, to be ſent with the Votes to the ſeveral Regiments, and read. This day Colonel *Lilburn*'s Regiment is to be drawn to a Rendezvous, and the Letters and Votes to be read to them; this they ſay, That were the old Commanders entertained, the greateſt part of the Army would engage for *Ireland*, and be ready for Service this Summer.

That the General intends for London.

The General intended for *London* this day, but his Excellency received a Letter from the Committee at *Darby* Houſe, deſiring his ſtay to advance the Service of *Ireland*, which he was before, at the Deſire of the Commiſſioners, reſolved to do, though the weak Conſtitution of his Body calls upon him to uſe the Means for recovery of Health, and preſervation of Life.

The Letter his Excellency cauſed to be ſent to the Officers of every Regiment, is as follows.

The General's Letter to the Officers of every Regiment to promote the Service for *Ireland*.

SIR,

WHereas at the laſt Meeting of the Officers of the Army at Saffron-Walden, *I declared in the preſence of the (Lords and Commons) Commiſſioners of Parliament, to all the Officers then preſent, as alſo to ſuch Officers as have ſince that time come to the Head Quarters, That they ſhould make known to their ſeveral Regiments the Intention of the Parliament, to ſend a conſiderable Force of ſuch of this Army as are willing to go into* Ireland, *for the reducing of that Kingdom; deſiring them alſo to make known my Deſire to advance that Service, and to prevent any hindrance thereof: And that if any Officers ſtand not diſpoſed to engage in Perſon in that Employment, yet that they ſhould promote it, in making known my Deſire, and the Votes of both Houſes, for the Encouragement of ſuch as ſhall engage in that Service. I do therefore deſire you to publiſh this Letter, together with the ſaid Votes, by reading the ſame unto your Regiment. In expectation whereof, I remain*

Your aſſured Friend,

Walden, April 18. 1647. *Thomas Fairfax.*

For Colonel, or the Lieutenant Colonel, or other Officers in chief with that Regiment named in the Directions.

On April 21.

A Report of Scots *Officers Arrears.* 17000 *l.*

A Report was made from the Committee appointed to conſider of the Arrears of the *Scots* Officers, that the ſum of 17000*l.* was due unto the Petitioners for Arrears, but charged not them with any free Quarter, Billet, Horſe or Arms of the States, *&c.*

The

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The Houſe hereupon Ordered, That the third part of the ſaid ſum ſhould be abated for free Quarter, Horſe and Arms, *&c.* which the Committee did not charge them with, and that the Remainder ſhould be paid to the ſaid Officers, in full Diſcharge of all Arrears due unto them.

Inſtructions were this day Reported for the Commiſſioners that are to attend his Majeſty, to get his Majeſty's aſſent to the Propoſitions, and to take the Covenant, which were aſſented unto, and Ordered to be ſent to the Lords for their Concurrence.

Ordered further, That the King's aſſent be deſired to the Ordinance for puting Biſhops Lands into the hands of Truſtees, and likewiſe to the Ordinance for the ſale of Biſhops Lands.

The Houſe then alſo took into conſideration the Extraordinary good Service done by Mr. *John Torrant*, one of Sir *Thomas Fairfax* Meſſengers, by which this Kingdom now receiveth great benefit, being a ſecret Service, there being likewiſe a Recommendatory Leter in his behalf read in the Houſe from his Excellency. Hereupon Ordered, that the Arrears of Mr. *Torrant* be paid off, and that he ſhall have the ſum of a hundred pounds for his Extraordinary Services to this Kingdom.

An Ordinance was this day read in the Houſe for repayment of the Monies long ſince borrowed of one Mr. *Stewart* for the Service of the State, and upon the Queſtion aſſented to.

The Commons ſent a Meſſage to the Lords with the Votes for the ſecurity of the 200000*l.* and ſome other Papers brought up by Sir *Philip Stapleton*. To which their Lordſhips anſwered, they would ſend anſwer by Meſſengers of their own. Their Lordſhips ordered to take into conſideration the Votes concerning the ſecurity for the 200000 *l.* which was read.

On April 21. 1647.

LEtters came from the Parliaments Commiſſioners at *Holmby*, acquainting the Houſe with the great reſort of People to his Majeſty, to be touched for the Kings Evil.

The Houſe hereupon Ordered, that a Declaration ſhou'd be drawn up, to inform the People of the fond Superſtition of being touched by the King for the Evil. And a Committee was appointed to draw up a Declaration to this purpoſe.

They Ordered that a Letter of thanks ſhould be drawn up, to be ſent to the Commiſſioners at *Holmby*, to give them thanks for their Care and Faithfulneſs in all their accounts in that Service.

They likewiſe proceeded in the buſineſs of the Church, and paſſed ſeveral Orders. And firſt, That the Aſſembly ſhould be requeſted to return to the Houſe the Articles of the Church of *England*, and the ſeveral places of Scripture thereunto.

And further, That this day ſevennight the Houſe do conſider of the Confeſſion of Faith preſented by the Aſſembly, the firſt buſineſs, and nothing to intervene.

A Report was this day made to the Houſe, of the tranſaction of the Parliaments Commiſſioners in his Excellency's Army.

Several Letters from his Excellency, and others from the Commiſſioners there to the Committee of *Derby-Houſe*, were read.

A Report was likewiſe made of the Letters ſet forth by his Excellency, to Encourage all the Officers and Souldiers of his Army, to undertake the ſervice of *Ireland*, which was read in the Head of ſeveral Regiments of the Army.

The

23 *Caroli.*

The Houſe had ſome Debate on a Paper preſented them under the Title of a Declaration of the Officers of the Army, but generally diſclaimed, as is certified by the Officers.

From the Army we underſtand further, by Letters to this purpoſe. That yeſterday Colonel *Lilburn's* Regiment were drawn forth to a Rendezvous near *Hinkſton*; Five Companies drew into the Church, where the General's Letter (we gave you before) and the Votes of both Houſes, (for the Encouragement of ſuch as ſhould undertake for *Ireland*) were read, upon which about ſixty of the five Companies drew forth for *Ireland*, the reſt returned to their Quarters. Whilſt this was in agitation, Lieutenant Colonel *Kempſon* drew the four Companies (which were without) towards *Cheſhire*, having the laſt three Weeks pay for the Regiment with him. The Souldiers were the rather induced to follow him (though the General's Letter, nor the Votes were communicated to them) becauſe they ſaw their Officers, Colours, and Mony go.

Lieutenant General *Maſſy* was preſent in the Church.

Colonel *Herbert* came to the Head Quarter yeſterday Morning, where he declared to divers Officers, that he was come to attend the Commiſſioners, but could give them little Encouragement, for all his Officers and Soldiers had declared themſelves againſt going for *Ireland*, unleſs they might have their Arrears, but he would do his utmoſt to perſwade them, and afterwards he (having dined with the Commiſſioners) came to take his leave of his Excellency, and to acquaint him, that he and his Regiment were to go for *Ireland*. The General Encouraged him to the Service, and gave him an Order to draw forth his Regiment to a Rendezvous at *Hitchin* in *Harfordſhire*, on *Friday* the 28.

Laſt Night his Excellency received a Letter from the Commiſſioners here, That they were informed by Lieutenant General *Maſſy*, that part of Colonel *Lilburn's* Regiment was Marched for the Service of *Ireland*, ſome whole Companies, and ſome part, and that it would be Contributary to the ſervice to give them the Countenance and Encouragement of Colours; to which his Excellency (for the furtherance of the Service) condeſcended, and returned anſwer, That he was willing, that ſuch as Marched with their whole Companies, ſhould have their Colours with them. There was one of Colonel *Lilburn's* Companies wanting, being Marched towards *Suffolk*.

His Excellency has granted an Order to Captain *Ohara*, to draw Colonel *Hammond's* Regiment to a Rendezvous, and to draw forth ſuch of the Regiment, as will engage with him for *Ireland*.

Captain *Howard* hath drawn forth Colonel *Fleetwood's* Regiment to a Rendezvous, according to his Excellency's Order; and made known the Parliaments Votes to them, but cannot obtain any conſiderable part of them to go with him; yet the Soldiers expreſs much civility towards his own Perſon, but declare they were not ſatisfied in other reſpects.

Major General *Skippon* 'tis ſaid is come from the *North*, and on his way as far as *Huntington*, but much weakned in body, by reaſon of his Wounds, Age, and other Infirmities; ſo that though his Heart be for the Service (as doubtleſs his Valiant Spirit is) yet his preſent weakneſs pleads rather for an Exemption.

The Commiſſioners in the Army intend to come back towards *London* to Morrow.

His Excellency Sir *Thomas Fairfax* came to *London* this Night.

An. 1647.

On April 23. 1647.

THE Houſe this day according to former Order, debated the Articles of *Truro*, and Ordered, That all ſuch Letters as were ſent by the General to the Speaker, in the behalf of the perſons concerned in the Articles, according to the ſaid Articles, for the favour of the Houſe in their Compoſitions, ſhall compound at two full Years Value, and no more, according to the full Value of their Eſtates in the Year 1640, and that they be enjoyned to pay their twenty fifth Parts alſo. That it be referred to a Committee, to make ſome Alterations in the Propoſitions, according to the Debate this day had; the Houſes having pardoned and admitted ſome to Compoſitions, ſince the laſt preſenting of them which were deeply included therein.

A Meſſage came from the Lords, with ſome Amendments to the Ordinance for ſecuring the City of *London* 200000 *l.* to be borrowed of them, their Lordſhips deſiring that *Goldſmith's-Hall* may be part of the Security of that Sum. The Houſe did much debate about this buſineſs, being of great Concernment to the whole Kingdom, and Ordered the Houſe ſhould adhere to their firſt Votes, and ſo diſſented.

The Petition (preſented and ſubſcribed by many Citizens of *London*, and referred to Colonel *Leigh*'s Committee, wherein the Word (*Supream*) was mentioned) was formerly Ordered to be debated this Day, which occaſioned many of the Petitioners to be at the Houſe, where they waited 'till five at Night, but had no Anſwer given them.

The Houſe this day, according to former Order, reſumed the Debate of the Report yeſterday, concerning the Commiſſioners Tranſactions in the Army.

A Liſt is returned of ſuch Officers, Horſe and Foot, as have undertaken for the Service of *Ireland*.

Briefly thus, There is one Colonel and two Captains of Horſe returned upon the Liſt.

One Major, and four Captains of Dragoons, two of which Captains have only engaged to go on ſuch Terms as they ſhall approve of.

Officers of Foot, Colonel *Herbert*, and Lieutenant Colonel *Kempſon*, are two Field Officers.

The Captains that have ſubſcribed, are in number about twenty; the reſt Lieutenants, and inferiour Officers. Or more particularly thus,

There are upon the Liſt returned in all, Officers of Horſe 17, of Dragoons 7, and of Foot 87.

It was hoped theſe particular Officers would have been able, every Man reſpectively, to carry over his ſeveral Troop or Company of Foot; but it is certified, that one Officer who had Eightſcore in his Company, could get but 26 that would go along with him for *Ireland*, and another Officer not one Man in the whole Company: It is to be wiſhed the reſt be enabled to perform what they have undertaken, or otherwiſe it may prove very inconvenient to the Service of *Ireland*.

The Houſe had a very large Debate as to this buſineſs of the Army; and whether the Army ſhould be Disbanded, and what Pay to give them before Disbanding; or whether it be not more convenient

venient to ſend the Army intirely into *Ireland* for the reducing of that Kingdom. And it was Ordered to reſume this Debate on *Tueſday* next, and no other buſineſs to intervene, and by that days Debate you will underſtand the Iſſue. 22 *Carli.*

The Houſes met not on *Saturday*, having adjourned till *Tueſday*.

On April 26. 1647.

A Perfect Liſt (delivered *Munday April* 26. by the Commiſſioners that went down to the Army, unto the Houſe of Commons) of ſuch Officers of the Army as have engaged themſelves for the Service of *Ireland*, viz.

In Colonel Tho. Sheffeild's *Regiment of Horſe.*

Tho. Sheffeild Colonel.
Richard Young Captain Lieutenant.
Richard Comber Cornet.
Robert Arthur Quarter-Maſter.
Captain *Robothom*'s Troop.
Michael Hale Lieutenant.
Henry Dethick Quarter-Maſter.
Robert Dawes Lieutenant.
Charles Martin Cornet.

Captain *Martin's* Troop, *Tho. Hey* Quarter-Maſter of this Regiment. None as yet drawn forth.

In Colonel Rich's *Regiment of Horſe.*

Major *Alford*'s Troop, *Franeis Rawſon* Cornet.
Captain *Tho. Nevil*'s Troop, *Ralph Hooker* Lieutenant.
Captain *Ireton*'s Troop, *Edward Liſle* Lieutenant of this Regiment. None as yet drawn forth.

In Colonel Graves's *Regiment of Horſe.*

William Lord *Cowfeild*'s Troop; none as yet drawn forth.
In his Excellencies Life Guard, *Henry Hall* Captain, *Andrew Goodhand* Captain Lieutenant; none as yet drawn forth.

In the Regiment of Dragoons.

Major *Nicholas Moor*'s Company, *William Phillips* Cornet. Captain *Farmer*'s Company, *Harrold Skermages* Captain, *Hen. Fulcher* Lieutenant. Captain *Woodan*'s Company, *Edward Wogan* Captain. Captain *Farr*'s Company, *Ralph Farr* Captain. None of this Regiment as yet drawn forth.

In his Excellency's Regiment of Foot.

His Excellency's Company. *Lewis Awdley* Captain Lieutenant, *Charles Bolton* Enſign. Major *Gooday*'s Company, *Watſon* Lieutenant, *Wild* Enſign. Captain *Muſcott*'s Company, *Fulke Muſcott.* Captain *Heyden*, Lieutenant *Cope*. Captain *Heyfeilds*'s Company, *Tho. Heyfeilds* Captain, *Stokeham* Lieutenant, *Miller* Enſign. Captain *White*'s Company, *Gore* Enſign. Captain *Wolfe*'s Company, *Tho. Phillips* Lieutenant, *Caleb Burges* Enſign of this Regiment. None as yet Marched.

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In Colonel Hammond's *Regiment of Foot.*

Major *Saunders*'s Company.
John Thompſon Lieutenant.
Tho. Wood Enſign.
Captain *Ohara*'s Company.
Charles *Ohara* Captain.
Bedinfeild Cremer Lieutenant.
Captain *Iſr. Eſmithe*'s Company.
John Mathew's Lieutenant.
Captain *Puckles* Company.
John Biſhop Enſign.

Captain *Boyſſe*'s Company, *John Togle* Lieutenant, *Godfry Pert* Enſign. Captain *Stratton*'s Company, *Rich. Bernard* Lieutenant.

Captain *Rolphe*'s Company, *Joſiah Slader* Lieutenant. *Rich. Taylor* Quarter-Maſter, *Baſingborne Layer* Waggon-Maſter. About 400 of this Regiment upon their March.

Captain *Ohara* hath Orders to march with his Company to *Olne*, *Newport Pannel*, and *Wilne* Hundreds in *Northamptonſhire* and *Bedfordſhire.*

In Colonel Rainesborough's *Regiment of Foot.*

Captain *Brown*'s Company, *John Brown* Captain, *John Herrick* Enſign. None as yet marched.

In Colonel Sir Hardreſſe Waller's *Regiment of Foot.*

Colonel *Waller*'s Company. *James Knight* Captain Lieutenant. *William Pope* Enſign.
Lieutenant Colonel *Salmon*'s Company.
Lewis Northcott.

Lieutenant Major *Smith*'s Company, *Samuel Claſe* Enſign. Captain *Thomas*'s Company, *Daniel Thomas* Captain, *Nathaniel Chaſe* Lieutenant, *Edward Allen* Enſign. Captain *Clark*'s Company, *John Clark* Captain, *Ralph Wilſon* Lieutenant, *Smith* Enſign. Captain *Howard*'s Company, *William Howard* Captain, *William Hopkins* Enſign. Captain *Elzerye*'s Company, *Thomas Flilkings* Lieutenant. Captain *Ask*'s Company, *William Laudgredge* Lieutenant. Captain *Holden*'s Company, *Humphrey Hartwell* Lieutenant, *Slow* Enſign. Captain *Stoddard*'s Company, *Deakins* Enſign. None of this Regiment as yet marched.

In Colonel Forteſcue's *Regiment of Foot.*

Captain *Young*'s Company, *Arthur Young* Captain, *Thomas Jones* Lieutenant, *Owen* Enſign. Captain *Pooley*'s Company, *Richard Pooley* Captain, *William Read* Lieutenant, *Richard Hart* Enſign.

Captain *Deniſon*'s Company, *John Deniſon* Captain, *William Baley* Lieutenant, *George Forker* Enſign.

Captain *Cope*'s Company, *John Cope* Captain, *Nicholas Luke* Lieutenant, *Mathew Marvel* Enſign.

Captain *Buſhell*'s Company, *John Buſhell* Captain, *Jo. Ferrers* Lieutenant, *Rich. Cordee* Enſign. Captain *Whitton*'s Company, *Roger Jones* Lieutenant. About 400 or 500 of theſe upon their March.

Colonel

Colonel *Graves* hath on the Officers deſire Order to go to *Browſgrove* in *Worceſterſhire*, and there to Quarter theſe Companies. 23 *Caroli.*

In Colonel Ingoldsby's *Regiment of Foot.*

Lieutenant Colonel *Kelſoy*'s Company, *Tho. Jones* Lieutenant. Major *Duckett*'s Company, *Charles Duckett* Captain. Captain *Wagſtaff*'s Company, *Chriſtopher Mathews* Lieutenant. None as yet marched of theſe. Lieutenant *Jones*, and Lieutenant *Mathews*, have Orders to march with the Lieutenant Colonel, and Captain *Wagſtaff*'s Company to *Browſgrove* in the County of *Worceſter.*

In Colonel Harly's *Regiment of Foot.*

Captain *Forgiſon*'s Company, *John Forgiſon* Captain. Captain *Parſon*'s Company, *Walter Croker* Lieutenant. None as yet Marched.

In Colonel Herbert's *Regiment of Foot.*

Colonel *Herbert*'s Company, *William Herbert* Colonel, *Charles Auberry* Enſign. Lieutenant Colonel *Read*'s Company, *Bartholomew Helby* Lieutenant. Captain *Lundey*'s Company, *Richard Lundey* Captain. Captain *Melvin*'s Company, *John Melvin* Captain. Captain *Spooner*'s Company, *John Duckley* Lieutenant. Captain *Short*'s Company, *Nathaniel Short* Captain, *William Hodgskins* Lieutenant. About 400 of theſe upon their March.

The Colonel Ordered to March with his Regiment to *Skipton* upon *Stower*, he hoping to engage divers other Officers, and little leſs than the whole Regiment.

In Colonel Lilburn's *Regiment of Foot.*

Colonel *Lilburn*'s Company, *Robert Fiſh* Captain Lieutenant, *Thomas Noone* Enſign. Lieutenant Colonel *Kempſon*'s Company, *Nicholas Kempſon* Lieutenant Colonel, *Alexander Frie* Lieutenant, *Leveſey Sharpeleſſe* Enſign. Major *Maſter*'s Company, *William Maſter* Major cannot go, but his Brother *George Maſter* is commended to the place. *Abr. Clarke* Lieutenant, *George Hope* Enſign. Captain *Peckham*'s Company, *Chriſto. Peckham* Captain, *Francis Wells* Lieutenant. Captain *Dormer*'s Company, *Francis Dormer* Captain. Captain *Tothurſt*'s Company, *James Murrey* Enſign. Captain *Welden*'s Company, *George Weldon* Captain, *Shreive Parker* Lieutenant, *James Roſe* Enſign, Lieutenant Colonel *Henry Lilburn*'s Company, *Evan Morris* Enſign. Lieutenant Colonel *Kempſon* hath Orders to March to *Eveſham* in *Worceſterſhire.* About 300 of this Regiment Marched.

Theſe Officers having by their forwardneſs and Example, laid a good Foundation of Encouragement to the Service of *Ireland*, we deſire the General his Excellency to give them all fit Countenance and Reſpect, for their further Encouragement upon any occaſion of Addreſs by any of them.

22. *April* 1647. *Subſcribed* Warwick, William Waller, Edward Maſſey, John Clotworthy.

Further, as concerning the Egagement for the Service of *Ireland*, it was informed by Letters this day from the Head Quarters of the Army.

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That *Thurſday* laſt Colonel *Howard* drew forth Colonel *Fleetwood*'s Regiment, and propounded the Service of *Ireland* to them, but could not prevail with any of them.

Colonel *Fleetwood*'s own Troop, made a ſhort Narration of what they deſired.

Colonel *Sheffeild*'s Regiment was drawn forth on *Friday*, but they gave the like Anſwer. Captain *Stratton* hath drawn out of the Regiments thirty ſix men.

Captain *Ohara*, moſt of his Company, and another Lieutenant haif his Captains Company.

All Colonel *Forteſcue*'s ſix Companies Marched away, and *Adjutant Gray* Colonel over them. None of Colonel *Hewſon*'s Marched. And of Colonel *Lilburn*'s almoſt two Companies of thoſe that Marched are returned to the Army. Some ſtrange expreſſions (ſay the Letters) paſt from Captain *Dormers* to his Souldiers at the General's Quarters; but we had rather they ſhould be forgotten than remembred.

Some Troopers of the four Regiments in *Norfolk*, had a meeting about aſſerting their former Petition, and ſome Diſturbance was like to be thereabouts; but Major *Huntington* and ſome other Officers uſed means to pacifie them, and carry things in an orderly way, and ſo appointed an Officer and Trooper to meet and adviſe about the ſame. And we hope care will be taken that nothing be done diſorderly.

Tueſday April 27. 1647.

THE Houſe of Commons (according to former Order) inſiſted upon the Affairs of *Ireland*, and the further Report of the Commiſſioners ſent down to the Army. And it was certified the Houſe; That there were Officers of five thouſand Foot who had engaged for *Ireland*, and ſome Regiments were already upon their March. That the Engagement of *Ireland* was obſtructed by ſome Officers in the Army, and ſome by name charged therewith. Whereupon, after a long Debate, it was Ordered, That four Officers of the Army ſhould be ſummoned by the Serjeant at Arms to attend the Houſe.

After this the Commons (having received a Meſſage from the Peers) took into Conſideration the Disbanding of the Army, and after a long Debate, it was

Reſolved, That the Army Horſe and Foot ſhould be Disbanded with all convenient ſpeed, and they Ordered ſix weeks pay ſhould be given unto them upon their Disbanding.

This day alſo ſome Officers of the Army preſented unto the Houſe, in the name and behalf of themſelves, and the reſt of the Officers, a Vindication of the particulars in their late Petition, which here follows at large, *viz.*

To the Honourable the Houſe of Commons Aſſembled in Parliament.

The Humble Petition of the Officers of the Army, under the Command of his Excellency Sir *Thomas Fairfax*, on the behalf of themſelves, and the Souldiers of the Army.

Humbly Sheweth,

THAT *your Petitioners being ſenſible of ſome diſpleaſure in this Honourable Houſe againſt them, through ſome miſinformation, concerning the carriage and* managing of a late Petition *in the Army, do humby offer unto your Conſideration*

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ſideration the Paper annexed, *for the better clearing of our Intentions; humbly deſiring your favourable Conſtruction and Acceptance of what is therein contained, according to the Integrity with which it is preſented.*

And your Petitioners ſhall pray, *&c.*

The Vindication of the Officers of the Army under Sir Tho. Fairfax.

THE *Miſrepreſentation of us* and our harmleſs Intentions to this Honourable Houſe, occaſioning hard Thoughts and Expreſſions of *your Diſpleaſure againſt us*, We cannot but look upon as an Act of *moſt ſad Importance*; tending, in our Apprehenſions, to alienate your Affections from your ever truſty and obedient Army; than which nothing can more *rejoyce your Adverſaries*, or miniſter greater hopes of their readvancement: Nothing more diſcouraging to us, who ſhould eſteem it the greateſt point of Honour to ſtand by you, till the Conſummation of your Work, the removal of every Yoke from the People's Necks, and the eſtabliſhment of thoſe good Laws you ſhall judge neceſſary for the Common-wealth.

Out of our Fears therefore of the advantage may be had therefrom, and that the Honourable Houſe may retain the ſame good Opinion of us they formerly had, (whom God hath hitherto bleſt with abundant Bleſſings) we humbly crave the boldneſs to preſent unto you ſome Reaſons, *to clear our Proceedings* in thoſe Paſſages, which we find moſt obvious to Exceptions *in our Petition.* Whereby we hope to make it evident to you, that we did no more than what *Neceſſity prompted us unto*: That the Means was uſed, and the Method we took, was as we conceived moſt orderly and inoffenſive; proceeding *not in the leaſt from Diſtemper*, and *aiming in no meaſure at Mutiny*, nor in any wiſe *to put Conditions* on the Parliament; and that you will from thence diſcover the Corruptions of theſe Mens Hearts, who have been the *evil Inſtruments of occaſioning your late Declaration againſt us.*

For our Liberty of Petitioning, we hope this Honourable Houſe will never deny it unto us; we know not any thing more eſſential to Freedom, without Grievances are remedileſs, and our Condition moſt miſerable. You have not denied it to your Adverſaries; you juſtified and commended it in your Declaration of the ſecond of *November*, 1642. in theſe Words:

It is the Liberty and Priviledge of the People to Petition unto us for the Eaſe and Redreſs of their Grievances and Oppreſſions, and we are bound in duty to receive their Petitions. And we hope, by being Soldiers we have not loſt the capacity of Subjects, nor diveſted our ſelves thereby of our Intereſts in the Common-wealth; that in purchaſing the Freedoms of our Brethren, we have not loſt our own. Beſides, we can inſtance in Petitions from Officers in the Earl of *Eſſex*'s and Sir *William Waller*'s Army, (even whilſt they were in Arms) which were well received by this Honourable Houſe, with a return of thanks; and therefore we hope we ſhall not be conſidered as Men without the pale of the Kingdom, excluded from the fundamental Privilege of Subjects, eſpecially ſince we are conſcious to our ſelves of nothing that may deſerve the ſame.

We have not 'till now appeared in Petitioning, though our neceſſities have been frequent and urgent; not that we doubted our Liberty, but becauſe we were unwilling to interrupt you in your other weighty Affairs. And we proceeded at this time with the greateſt Care and Caution we could of giving the leaſt Offence, intending not to preſent our Petition to this Honourable Houſe, but with the Approbation, and by the Mediation of his Excellency, our ever honoured General, knowing how watchful our Enemies were to make the hardeſt Conſtruction of all our Actions, and repreſent us to you and the World under ſuch terms as may render us moſt odious.

You may ſee the Inſidies of them, by *the falſe Suggeſtions* they have already made to you, *of our forcing Subſcriptions*; the unreaſonableneſs and neceſſities of our Deſires, whereof almoſt every Soldier is abundantly ſenſible, will plead the vanity of ſuch an Enforcement; eſpecially when it ſhall be known that the Petition took its *firſt Riſe* from amongſt the Soldiers, and that we engaged but in the ſecond place to regulate the Soldiers Proceedings, and remove as near as we could all occaſion of Diſtaſte.

For

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For our Deſires of Indemnity, for ſuch Actions as being not warrantable by Law in time of Peace, we were enforced unto them by the neceſſity and exigency of the War. We are confident this Honourable Houſe will approve of it, when you ſhall be informed that the *Soldiers are frequently indicted* at Aſſizes and Seſſions, and otherwiſe grievouſly moleſted for ſuch Actions, and many lately ſuffering for the ſame. Notwithſtanding that Proviſion you lately made againſt it, that divers have had *Verdicts paſt againſt them this laſt Aſſizes*, for Actions done as Soldiers, (as we are credibly informed;) if this be practis'd during the time of your Seſſion, for what we did through the exigence of your Service, what cruel and violent Proceedings are we like to find, *after you are pleaſed to diſſolve.*

For the particular Intimation, *That the Royal Aſſent may be deſired*, we never intended it to leſſen your Authority; but ſince you have by offering the Propoſitions, judged the deſiring the King's Aſſent convenient; Since likewiſe the City of *London* made the ſame deſire without Offence; and your Orders to the Judges, we know not how effectual they may prove to ſave us from ſuch Proceedings after your Seſſions; All theſe Reaſons conſidered, will we hope manifeſt our Intentions in that Intimation to be only a provident Caution for our future Safety, without the leaſt thought of Diſreſpect to your Authority. For the deſire of *our Arrears*, Neceſſity (eſpecially of our Soldiers) inforced us thereunto. That we have not been mercenary, or *propoſed Gain as our End*, the ſpeedy ending of a languiſhing War will teſtifie for us, whereby the People are much eaſed of their Taxes and daily Diſburſements, and decayed Trade reſtored to a full and flouriſhing Condition in all Quarters. We left our Eſtates, and many of us our Trades and Callings to others, and forſook the Contentments of a quiet Life, not fearing or regarding the difficulties of War for your ſakes: After all which we hoped that the deſires of *our hardly earned Wages* (by the Mediation of our General) would have been no unwelcome Requeſt, nor *argued us guilty of the leaſt Diſcontent, or intention of Mutiny.*

We know not any thing further in our Petition which hath been excepted againſt, but your Apprehenſions that it tendeth *to hinder the relief of* Ireland, which we do not underſtand wherein, having always manifeſted in all our Actions, our readineſs to further that Work; unleſs you mean by that deſire, that thoſe who have ſerved voluntarily, ſhould not be preſſed to go out of the Kingdom; to which we humbly offer this: That thoſe who have *voluntarily ſerved in theſe Wars*, and left their Parents, Trades, and Livelihoods, and *without any Compulſion* engaged of their own accords, ſhould, after all their free and unwearied Labours, be forced and *compelled to go out of this Kingdom*, whoſe Peace they have ſo much endeavoured with unwearied Pains, hoping thereby to have lived and enjoyed the fruits of their Labours, would to them ſeem very hard; but beſides this, our ſeveral Votes and Engagements, *March* 21. to endeavour the Service of *Ireland* what we could *will clear us*, and our good Affections in promoting that Work; and therefore we hope what hath been ſaid will remove all Scruples, and reſtore us to the good Opinion of this Honourable Houſe: In aſſurance whereof, and in conſideration of the Premiſes, we are further emboldened to make theſe our Requeſts unto this Honourable Houſe.

1. That you will be pleaſed to allow us our liberty of Petitioning in what may concern us now *as Soldiers*, and afterwards *as Members* of the Common-wealth.

2. Since upon the falſe Suggeſtions of ſome Men, informing you, *That this Army intended to enſlave the Kingdom*, the Honourable Houſe was ſo far prevailed withal as *to ſummon divers of us to appear at your Bar*, and to paſs a Declaration, thereby expreſſing your high diſlike of our Petition, *declaring it tended to put Conditions upon the Parliament*: The Senſe of ſuch Expreſſions is ſo irkſom to us, who have ventured whatſoever we eſteemed dear to us in this World for Preſervation of your Freedom and Privileges, that we cannot but earneſtly *implore your Juſtice in the Vindication of us*, as in your Wiſdom you ſhall think fit.

Thomas Hammond Lieutenant General of the Ordinance.

Colonels.

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Colonels.

Edward Whaley.
John Lambert.
Robert Lilburn.
Nathaniel Rich.
John Hewſon.
Robert Hammond.
John Okey, &c.

Lieutenant Colonels.

Thomas Pride.
Thomas Kelſay.
Thomas Reade.
John Jubbs.
Mark Grime.
Ewer.
Edward Salmon.

Majors.

Mathew Rogers.
Daniel Axtell.
William Cowell.
Thomas Smith.
Thomas Horton.
John Desborough.

Captains.

Adam Lawrence.
James Berry.
William Packer Captain.
Samuel Packer.
John Gladman Captain Lieutenant.
William Diſher Lieutenant.
Richard Morris Lieutenant.
Joſeph Wallington Captain Lieutenant.
Nathaniel White Lieutenant.
Edmond Chillenden Lieutenant.
Gox Tooke Cornet.
Henry Pretty Captain.
Sampſon Toogood Lieutenant.
John Friend.
Francis Wheeler.
George Enſor Lieutenant.
George Gregſon Captain.
William Leigh Captain.
Thomas Parſons Captain.
Henry Ball Cornet.
William Farley.
Edmond Rolfe Captain.
John Jenkins Captain.
Abraham Holmes.
John Carter Captain.
John Puckle Captain.
William Arnop Captain Lieutenant.
Thomas Prite Captain.
Thomas Davies Captain.
Edward Orpin Captain.
William Steeton.
Richard Zanchy Captain.
Griffith Lloyd Lieutenant.
William Goffe Captain.
John Maſon Captain.
Wartoff Lagoe Captain.
Edward Scotton Lieutenant.
William Cobb Cornet.
John Forgiſon Captain.
Roger Alſop Captain.
Thomas Diſney Captain.
John Nicolas Lieutenant.
John Spencer Cornet.
Richard Maſſe Lieutenant.
Richard Kempe Lieutenant.
John Biſcoe Captain.
James Loyde.
Mathew Cadwell Captain.
Samuel Roſſe Captain Lieutenant.
William Sheares Lieutenant.
Thomas Sheares.
John Jag.
Charles Whitehead Cornet.
John Merriman Lieutenant.
Henry Dorney Lieutenant.
Azariel Husbands Captain.
Charles Bolton Enſign.
Stephen White Lieutenant.
Lawrence Nunny Captain.
Robert Lewis Captain.
William Jones Enſign.
Thomas Cartwright Enſign.
William Weare Captain Lieutenant.
Edward Atkinſon Captain.
Francis Hawes Captain.
Richard Wagſtaffe Captain.
Giles Sanders Captain.
Hugh Jenkyns Lieutenant.
Benjamin Burges Captain.
Richard Eſſex.
John Reſleden.
Henry Cleare.
T. Penny-father Captain.
Walter Bethel Captain.
Samuel Gardiner Captain.
W. Foſter.
W. Milward Captain.
Clem. Arnold.
William Parry.
John Grove Captain.
William Evanſon Captain.
T. Chamberlain Lieutenant.
John Wright.
John Frend.
Francis Allen.
Thomas Day.
Abraham Davis Lieutenant.
John Tapendeane Captain.
Henry Davis Captain.
Sam. Grame Captain.
Alexander Brafeild Captain.
Tho. Atkinſon Captain.
W. Arnold Lieutenant.
John Webb Lieutenant.
Jenkin Buen Lieutenant.
George Jenkins Lieutenant.

W. Hill.

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W. Hill Lieutenant.
Ralph Gell Lieutenant.
T. Baker Lieutenant.
George Smith Lieutenant.
Samuel Axtell Lieutenant.
Henry Williams Enſign.
Edward Hoare Enſign.
T. Rawlins Captain.
T. Lewis Enſign.
Jer. Cranfeild Enſign.
Robert Nunwings Enſign.
T. Newman Enſign.
John Davis Enſign.
Morgan Porter Enſign.
John Blunfeild.
Nathan Bolet.
W. Powell.
John Savage Lieutenant.
John Shrimpton Lieutenant.
John Mill.
John Grime Captain.
John Reynolds Captain.
T. Mercer Captain.
John Blackwell Captain and Treaſurer.
Tho. Coleman Captain.
John Goodwine Quartermaſter.
John Peck.
William Stiles Captain.
John Miller Lieutenant.
Anthony Lacon Cornet.
Abel Warren Cornet.
T. Savage Quartermaſter.
George Hayes Quartermaſter.
John Adice Quartermaſter.

Reader, take notice that all the Names hereunto Subſcribed are Common Officers, but by reaſon they did not ſet down their Titles, the Publiſher could not make them known to thee.

The Vindication being brought into the Houſe, the Reading thereof was referred 'till *Friday* following.

This day Enſign *Nicolls* (an Officer in the Army, who was apprehended by Captain *Dormer*, the General being then at the head Quarters, and ſent up in Cuſtody to the Houſe of Commons) had his Pocket ſearched, and Money and Papers taken from him, attended the Houſe, and remains committed.

Major General *Skippon* this day declared himſelf, that he would accept of the Service of *Ireland*, conferred on him by the Houſe.

The Lord *Liſle* we underſtand hath left *Ireland*, and landed at *Briſtol*, and is now on his way to *London*.

The Common-Council of the City of *London* ſate this day, about nominating a new Committee for the Militia of *London*, and which of the old ones ſhould ſtand; and after a long Debate, they outed Alderman *Pennington*, Alderman *Fulke*, Alderman *Warner*, Alderman *Kenrick*, Colonel *Wilſon*, Colonel *Player*, Colonel *Tichburne*, and ſome others; and agreed to this following Liſt, to be preſented to the Houſe for their Approbation.

The Names of thoſe (to be preſented to the Parliament, for the Militia of the City of London) *are as follows*, viz.

The Lord Mayor of the City of *London.*
Major General *Skippon.*
Sherriff *Cullum.*
Sherriff *Edmunds.*
Sir *John Woolaſtone.*
Alderman *Adams.*
Alderman *Langham.*
Alderman *Bunce.*
Alderman *Gibbs.*
Alderman *Avery.*
Alderman *Bide.*
Lieutenant of the Tower.
Colonel *Weſt.*
Colonel *Bellamie.*
Colonel *Turner.*
Colonel *Robert Manwaring.*
Colonel *Gowrie.*
Colonel *Hooker.*
Lieutenant Colonel *Campfeild.*
Lieutenant Colonel *Bellamie.*
Lieutenant Colonel *Bromfeild.*
Captain *Jones.*
Captain *Vennor.*
Deputy *Packe.*
Deputy *Boothby.*
Deputy *Gibbings.*
Deputy *Arnold.*
Mr. *Edmond Browne.*
Mr. *Glide.*
Mr. *Kendal.*
Mr. *Gaze.*
Mr. *Tempeſt.*
Milner.

The

23 *Caroli.*

The Common-Council had likewiſe preſented them Letters from the Parliament of *Scotland*, giving the City Thanks for their conſtant good Affection and Reſpect to the Covenant, and the Union of the Nations, *&c.* which Letters were very acceptably received by the Common-Council, and Thanks ordered to be returned to the *Scotch* Commiſſioners who Preſented them.

Some Debates were likewiſe upon Mr. *Eaſtwick* and Mr. *Brett's* not taking the Covenant.

Wedneſday, April 28. 1647.

THIS was the Faſt-Day, and Mr. *Aſh*, and Mr. *Strong* of *Fleetſtreet*, Preached before the Houſe of Commons; had Thanks given them, and deſired to Print their Sermons. Doctor *Tempeſt*, and Mr. *Hughs*, were deſired to Preach next Faſt-Day.

On April 29. 1647.

AN Order was made by the Commons, for a Writ to be iſſued, for the Election of a Knight of the Shire, to ſerve for the County of *Norfolk*, in the place of Sir *John Hobert* deceaſed.

The Aſſembly attended the Houſe this Day, and were called in, and acquainted the Houſe, that according to the Orders of that Houſe, they had attended them with their Advice upon the 39 Articles of the Church of *England*, and the Texts of Scripture thereunto; and upon the Confeſſion of Faith, with the Texts of Scripture likewiſe to it.

The Houſe hereupon ordered 600 Copies of the Aſſemblies Advice herein, ſhould be Printed for the Services of the Houſes, and the Aſſembly, and no more be Printed; and that none preſume to Reprint the ſame, 'till further Order.

The Aſſembly were again called in, and had the Thanks of the Houſe given them for their Pains therein.

A Report according to former Order, was made to the Houſe, of the Anſwer of Major General *Skippon* to be Field Marſhal; That by reaſon of his Age and Diſabilities, he deſired to be excuſed of that Employment; but ſeeing he is ordered by both Houſes of Parliament, and called thereunto, he ſhall deny himſelf to ſerve the Publick, and obey the Commands of both Houſes.

The Houſe hereupon Ordered, That the Field Marſhal *Skippon* ſhould have the Thanks of the Houſe returned him, for his Compliance with the Order of the Houſe, and his denying himſelf to ſerve the Publick; which was accordingly done by Mr. Speaker: And the Houſe further ordered, That 1000*l.* be beſtowed on the ſaid Field Marſhal *Skippon*, for his faithful and good Service to the Kingdom.

The ſaid Field Marſhal *Skippon* took his place in the Houſe of Commons this day, being returned a Burgeſs for *Barnſtaple*.

From the Army came further Intelligence this day, That Major *Gooday* having read the Parliament's Votes, and General's Letter laſt *Thurſday*, to his Company in the General's Regiment, 47 of them liſted themſelves to go for *Ireland*; the reſt of the General's Regiment that are willing to go for *Ireland*, are to be liſted on *Wedneſday*.

An. 1647.

April 30. 1647.

THIS day at the firſt ſitting of the Houſe of Commons, the Petition and Vindication preſented laſt *Tueſday* by Colonel *Hewſon*, Colonel *Okey*, Captain *Reynolds*, Captain *Goffe*, Lieutenant *Chillington*, and other Officers of the Army, were read; at which time Major General *Skippon* (being in the Houſe) produſed a Letter preſented unto him the day before, by ſome Troopers of ſeveral Regiments in the Army, in the behalf of eight Regiments of Horſe, wherein they expreſſed ſome Reaſons why they could not engage in the Service of *Ireland*, under the preſent Conduct, and complaining of the many Scandals and falſe Suggeſtions, that were of late raiſed againſt the Army, and their proceedings; whereupon they were declared Enemies to the publick; and that they ſaw deſigns were upon them, and many of the Godly Party in the Kingdom, and that they could not engage for *Ireland*, until they were ſatisfied in their Expectations, and their juſt Deſires granted. This the Major General thought fit to tender to the Conſideration of the Houſe. Upon reading whereof the Vindication was laid aſide, and the three Troopers (*viz.*) *Edward Sexby*, *William Allen*, and *Thomas Sheppard*, who came with the Letter, (and had preſented Copies of the ſame to the General and Lieutenant General, both which were brought into the Houſe at the ſame time) were ſent for into the Houſe; where ſeveral queſtions were propounded unto them, concerning the contriving, drawing up, and ſubſcribing of the ſame. They affirmed it was drawn up firſt at a Rendezvous of ſeveral of thoſe Regiments, and afterwards they had ſeveral meetings about it by Agents from each Regiment in ſeveral places. Being demanded whether their Officers were engaged in it? They anſwered that they thought very few of them knew or took notice of it: Then upon intimation, that ſurely this Letter came by Promotion of Cavaliers in the Army, it was demanded of each of theſe Troopers ſeverally by themſelves, whether they were Cavaliers? To which anſwer was returned, that they had engaged in the Parliament's Cauſe ever ſince *Edge-Hill* Battle, ſome wounded there. At *Brainford*, at *Newbury*, at *Henley*, under Major General *Skippon*, and were engaged in all the Services ſince his Excellency firſt Marched into the Field; and one of them particularly declared, that when he was upon the grouud with five dangerous Wounds upon him, Major General *Skippon* came by, pitying his ſad Condition, gave him five Shillings to procure him ſome relief; which the Major General in the Houſe did aver to be true. Then they were demanded, what the meaning of that Clauſe was, wherein the Word a *Soveraignty* was expreſt? They ſeverally being called one by one, anſwered.

That the Letter being a joynt Act of thoſe ſeveral Regiments, they could not give a punctual Anſwer, they being only Agents; but if they might have the Queries in Writing, they ſhould ſend or carry them to the ſeveral Regiments, and return their own Anſwers together with and comprized in the reſt. After all theſe Examinations, they were Ordered to attend the Houſe upon Summons. Afterwards the Houſe (for the better preventing of any Diſorder in the Army) paſſed ſeveral Votes, and Ordered, That Major General *Skippon*, Lieutenant General *Cromwell*, and Commiſſary *Ireton*, and Colonel *Fleetwood*, be ſent down to the Army

to

to acquaint them, that the Houſe would provide a conſiderable ſum of Mony for them before their Disbanding, and their Accounts to be Audited, and an Ordinance to be brought in on *Thurſday* next for Indempnity, for acts done in *tempore & loco Belli.*

An Order was made this day, for the Committee of Parliament ſent into *Scotland* to return; which was ſent to the Lords, and aſſented unto.

The Houſe of Commons Ordered (by reaſon of the urgent Affairs of this Kingdom and *Ireland*) to ſit to morrow.

CHAP. XIV.

Proceedings in Parliament from May 1. *to* June 3. 1647.

Upon Saturday, May 1. 1647.

THE Houſe of Commons had a further Debate, about the Security of the 200000 *l.* to be borrowed of the City of *London*, and the queſtion was put; whether the Receipts of *Goldſmiths-Hall* ſhould be given as part of the Security; and it was reſolved in the Negative.

A Conference was had upon this buſineſs with the Lords, and at laſt both Houſes agreed to the Security.

A Meſſage was likewiſe ſent from the Lords, deſiring that a Common Council may be called on *Monday* next in *London*, that the Committee formerly appointed may go to the City about the buſineſs of the 200000 *l.* and to ſatisfie them concerning the Security agreed on. This was aſſented unto, and Members appointed to deſire the Lord Mayor to call a Common Council accordingly.

An Ordinance for the ſecuring many poor men of the City, that was not able to advance as much more, which they advanced before, was read, and Ordered to be read again the next week.

Colonel *Rainesborough* Ordered 6000 *l.* to be advanced by the Committee of the *Navy*, (upon the Security of the Ordinance for 200000 *l.*) to be employed for the Service of reducing *Jerſey*. Ammunition Ordered him for this purpoſe.

The Committee at *Derby-Houſe* Ordered to grant him a Commiſſion, for Commanding in chief the Forces of *Jerſey*.

The Houſe was then informed, That the four Officers (ſent for out of the Army) were come up, and attended the Houſe; whereupon, after ſome Debate, the queſtion was put, Whether the ſaid Officers ſhould be called to the Bar; and it was reſolved on in the Negative.

The Petition of many thouſand well-affected Citizens of *London*, (who have long waited for an Anſwer) was Ordered to be read next *Tueſday*.

And it was likewiſe Ordered, That the Ordinance for Indempnity, and taking the Accompts of the Souldiers, be read *Thurſday* next, the firſt buſineſs. After this the Houſe adjourned till *Tueſday* next.

This day a Proclamation was ſent to be publiſhed in ſeveral places of *London*, from his Excellency Sir *Thomas Fairfax*, in Proſecution

An. 1647.

ſecution of an Order of the Houſe yeſterday, and is in theſe words, (*viz.*)

Sir *Thomas Fairfax* Knight, Commander in Chief of the Forces raiſed by the Parliament.

I *Do hereby ſtraightly charge and require all Officers (belonging to the Army, under my Command; now within* London, *and the Lines of Communication, or thereabouts) to repair to their ſeveral Charges in the Army, within twenty four hours after the Publication thereof, upon pain of ſuch ſevere Puniſhment as ſhall be inflicted upon them for their neglect therein. And this be publiſhed by ſound of Trumpet.*

Given under my Hand and Seal in *Queen-Street*, the firſt of *May*, 1647.

This day the Lord *Liſle* (late Lord Lieutenant of *Ireland*) Sir *Hardreſſe Waller* and others in Company came to *London*.

May 3. 1647.

Security about the Loan of 200000 l.

THE Houſes ſat not this day, but a Committee of both Houſes (as was Ordered on *Saturday*) had another meeting with the Common Council of *London*, about the Loan of 200000 *l.* and propounded unto them the Security agreed on by the Houſes. Several Speeches were made to ſtir up the City to the ſpeedy Loan of the ſaid ſum; to which they expreſſed much willingneſs, but ſtill ſtood upon it to have *Goldſmiths-Hall* added to the Security.

The Army ſuſpected to comply with the King.

At this time ſomething was more than whiſpered in the City, and the Rumour ſpread further in the Kingdom, upon occaſion of ſometing ſaid at this meeting in relation to the Army, as that they ſhould ſend to comply with the King.

Provincial Aſſembly met in London.

This day likewiſe, the Provincial Aſſembly of *London*, met in the Convocation Houſe at *Paul's* Church, according to an Ordinance in Parliament of the 29. of *April* laſt, for the further ſetling Presbytery, and Dr. *Gouge* was choſen Prolocutor. The Ordinance directing that Aſſembly is to this purpoſe, That the Elders of the Claſſis of the Province of *London*, ſhall hold this Provincial Aſſembly in the Convocation Houſe at *Paul's* Church in *London*, upon the firſt *Munday* in *May* next enſuing, and may adjourn their meeting *de die in Diem*, and conclude their meeting with Adjournments unto the next opportunity, according to the Ordinance of Parliament. And that no Act ſhall paſs or be valid in the ſaid Province of *London*, but what ſhall be done by the number of thirty ſix preſent, or the major part of them, whereof twelve to be Miniſters, and twenty four to be Ruling Elders.

The Ordinance for regulating the Univerſity of *Oxford* is paſſed both Houſes. The *Viſitors* are theſe following.

Univerſity of Oxford, *their Viſitors.*

Sir *Nathaniel Brent*, Mr. *Edward Corbet*, *John Pulixton*, *Hen. Wilkinſon*, *William Prinn*, *William Tiping*, Sir *William Cobb*, *George Greenwood*, Dr. *Wilkinſon*, *Edward Reinolds*, *Robert Harris*, *Fran. Cheynel*, *John Packet*, *John Wilkinſon*, *John Mills*, *Chriſtopher Rogers*, *William Cope*, *Ba. Hall*, *Tho. Knight*, *John Helling*, *William Draper*, *Gabriel Becke*, *John Cartwright*, *Sam. Dunch*, they or any five of them, to determine all matters according to Law.

To

23 *Caroli.*

To Examine upon Oath concerning Neglect of the Covenant, Directory, or Diſcipline, or ſuch as write falſe Doctrine, or have been Enemies to the Parliament, and certifie the ſame to the Committee of Parliament, whither the Parties alſo have appealed.

The Committee of Lords and Commons for Oxford *Appeals.*

Commiſſioners for Appeals for Oxford *Univerſity.*

EArl of *Northumberland*, Earl of *Kent*, Earl of *Rutland*, Earl of *Pembrooke*, Earl of *Lincolne*, Earl of *Nottingham*, Earl of *Suffolke*, Earl of *Salisbury*, Earl of *Warwicke*, Earl of *Denbigh*, Earl of *Middleſex*, Earl of *Mancheſter*, Earl of *Mulgrave*, Earl of *Stanford*, Viſcount *Hereford*, Viſcount *Say and Seal*, Lord *Delaware*, Lord *Berkley*, Lord *Wharton*, Lord *North*, Lord *Hunſden*, Lord *Grey*, Lord *Roberts*, Lord *Howard*, Lord *Bruce*, Sir *Chr. Telverton*, Sir *John Danvers*, Mr. *Selden*, Mr. *Weſt*, Mr. *Rouſe*, Mr. *Crew*, Sir *William Lewis*, Mr. *Whitlocke*, Sir *Thomas Witherington*, Mr. *Poole*, Sir *Peter Wentworth*, Colonel *Leigh*, Mr. *Nathan Fiennes*, Mr. *Long*, Sir *P. Stapleton*, Mr. *Wheeler*, Mr. *Swinfan*, Mr. *Browne*, Mr. *Love*, Sir *William Brereton*, *L. Wenman*, Mr. *John Fiennes*, Mr. *William Lenthall* Speaker, Mr. *Hollis*, Sir *Robert Harley*, Mr. *Salloway*, Mr. *Liſle*, Mr. *J. Lenthall*, Sir *Gilbert Gerrard*, Mr. *Scott*, Sir *Tho. Wroth*, Mr. *Doyly*, Mr. *Prideaux*, Mr. *Tate*, Mr. *Bond*, Mr. *Aſhhurſt*, Mr. *Bulkley*, Mr. *Kirle*, Mr. Recorder, Mr. *Martin*, Mr. *Nicoll*, Sir *John Burgoignes*, Sir *Tho Dacres*, Sir *John Maynard*, Mr. *Gourdon*, Mr. *Grimſtone*, Dr. *Bond*, Mr. *Morley*, Mr. *Green*, Mr. *Reinolds*, Mr. *Grove*, Mr. *Knightlay*, or any five of them.

Intelligence from Scotland *of* Kolkitoth, *&c.*

Not much more conſiderable this day, but from *Scotland*. Lieutenant General *Leſley* is Marched againſt *Kolkitoth*, with four Regiments of Foot, ſix Troops of Horſe, and three Troops of Dragoons, and not without great need, for this *Aliſter Macdonell Kelkitoth* rageth in the Marquiſs of *Argyle*'s Country, he ſpareth neither Sex nor Age, but putteth both Man, Woman, and Child to the Sword; having taken away the Lives of theſe innocents, he taketh all that lies before him for Proviſion for his Army, in procuring of which he is very diligent. The Letters mention, he expects from *Ireland* Recruits both of Men and Arms, and other Expedients. It is ſaid, that the Enemies in a great Body have taken the Field in *Ireland*, and it is to be feared they will uſe the like Inhumanity in that Kingdom, and go over their old Tragedies again.

And of the Affairs of *Ireland*, the Letters ſpeak thus, that the Rebels now begin to beſtir themſelves apace; and that the Rebels in *Leminſter* have beſieged *Caterlagh*, a very ſtrong Garriſon under the Marqueſs of *Ormond*. The Marqueſs of *Ormond* propounds to raiſe 5000 native *Iriſh* to go beyond Sea, and offers to give his three Sons for Hoſtages, and his Lands to be engaged, that they ſhall never come againſt any of the King's Dominions.

Soldiers Shiped from Cheſter *for* Ireland, *being of Col.* Hungerford's *Regiment*, 841. *in number.*

From the City of *Cheſter*, *Tueſday* the 27. was ſhipped 9 Foot Companies, under the Command of Colonel *Hungerford*, making 841. men, on *Wedneſday* they ſet Sail from *Poyetaire*; theſe it's believed are now in *Dublin*, for though contrary Winds have been, yet there have been enough to carry them thither more than once. Captain *Meredith*'s Troop is come hither, to add to the other ſmall force. The Commiſſioners incline ſtill to ſtay until they have more men to poſſeſs what they are to take, wherewith to accommodate them, which otherwiſe may be loſt ſo ſoon as had, either by the violence of the Enemy, or want from Friends; 500*l.* is ſent by the laſt men, part of that little the Commiſſioners have, to be diſpoſed of by the Lord of *Ormond*, as he ſhall ſee it fit for the relief of the out-Garriſons.

May

An. 1647.

May 4.

The Petition directed to the Supream Authority of the Nation, the Commons; but diſliked by them.

THE Petition, Entituled, of divers well-affected Citizens, before mentioned, directed to the Commons the *Supreme Authority of Parliament*. The Houſe had much debate of this, and the Petitioners were called in, and Mr. Speaker, by order and direction of the Houſe, acquainted them that the Houſe did diſlike the Petition; and therefore could not approve thereof.

The new City Militia *approved of by the Commons.*

The Ordinance for the City *Militia* was read, and the Perſons preſented by them approved of and confirmed, and then the Ordinance *paſſed the Commons.*

Thanks to the old Militia.

They Ordered, That a day ſhould be appointed to give thanks to the *old Militia* Members, for all their faithful Service, and that *Friday* ſhall be the day.

Complaint of Iriſh *men, Troopers, that rob in* Oxfordſhire.

A Letter was read in the Houſe from the new *Sheriffs of* Oxon, that many Troopers that were *Iriſh*, and others that had been in Arms againſt the Parliament, had robbed all Paſſengers that paſſed to and fro in and about their occaſions, and that he had raiſed the *Poſſe Comitatus* and apprehended about a 100 of them, deſiring the direction of the Houſe therein. The Houſe approved hereof, and Ordered that an Ordinance ſhould be drawn, to require all Officers and Soldiers that have born Arms againſt the Parliament, to repair to their ſeveral Countries, and if that they appear in any Country in a hoſtile manner, to be puniſhed with Death.

They Ordered, that a Letter of thanks ſhould be ſent down to the Sheriff of *Oxfordſhire.*

Commiſſions of Oyer *and* Terminer *to try Soldiers.*

That the Commiſſioners of the great Seal ſhould grant Commiſſions of *Oyer* and *Terminer*, to try Soldiers that take free quarter without Warrant, and alſo ſuch as are apprehended for Robberies, *&c.*

Goldſmiths-Hall *to be Security in part for* 200000 *l.*

A Meſſage this day from the Lords, concerning *Goldſmiths-Hall*, deſiring that *Goldſmiths-Hall* may be part of the Security for the 200000*l.* The Houſe had much debate thereof, but did not agree with the Lords therein; but in the reſt of the Security, of the Papiſts and excepted Perſons their Eſtates, and the Exciſe in courſe, they agreed to.

They Ordered, that Serjeant *Godbolt*, one of the Juſtices of the Common Pleas, ſhould be added to the Commiſſioners for hearing Cauſes in Chancery.

May 5. 1647.

Debate of the ſecurity for the 200000 *l.*

THE Commons had the Report this day from the Committee, who treated with the Common Council of *London Monday* laſt, about the Loan of the 200000 *l.* and had much debate thereupon, and at laſt ordered half the Compoſitions for Delinquents Eſtates at Goldſmiths Hall, not diſpoſed of, to be added to the Security to the City for the 200000 *l.*

A Brief for Iriſh *People fled out of* Ireland.

The Houſe took into conſideration the ſad condition of about 300 poor People in *Barnſtable*, forced to fly out of *Ireland*, and ordered a Brief to be drawn up for Collections in all Churches and Chappels in the Kingdom the next Faſt-day.

Sweedes *refuſe to ſtrike Sail, a Fight thereupon.*

Letters from the Navy certifie a fight near the Iſle of *Wight*. *A Fleet of Sweedes* refuſed to lower their Top-Sail, though called to by Captain *Owen*, which occaſioned a Fight. The *Sweeds* had their Admiral,

miral, Vice Admiral, Rear Admiral, and two other men of War, and ſome Merchants bound for *Conſtantinople*; but in the end not only the Merchants ſhips forſook Captain *Owen*, but the two men of War drew back and left him. He loſt one Man, and had three Wounded. The *Sweeds* had much loſs, their Vice Admiral, and Rear Admiral had their Colours ſhot down, and a great breach was made in the Vice Admiral, with much other loſs. The Fight continued until Night. Captain *Batten* relieved Captain *Owen*, and brought in the *Sweeds* Fleet to *Portſmouth*.

Officers of the Army to meet the Parliaments Commiſſioners.

From the Army Letters this day give to underſtand, that the Commiſſioners ſent down, have appointed a general meeting of the Officers of the Army on *Thurſday* next, the ſucceſs whereof ſhall then be certified.

May 6. 1647.

Troopers in Kent, *indicted for taking of Horſes, tempore & loco Belli.*

A Letter this day came from the Committee of *Kent*, with ſeveral Examinations, Concerning *James Middleton* preferring a Bill of Indictment againſt Colonel *Kenricke*, for his Troopers taking of three Horſes of the ſaid *James Middleton*, though it was at the firſt Rebellion in *Kent*, and they found theſe Horſes tied in a Wood, and were taken for the Service of the State, in the time and place of War. And upon the Examination of this buſineſs, it was found that Sir *John Sidley* of *Kent*, did adviſe and perſwade *Middleton* to it, with other aggravating Circumſtances.

The Houſe Ordered, that Major *Tulidah* ſhall be diſcharged of his Reſtraint.

The old Militia *of the City, receive thanks of the Houſe.*

The old *Militia* came according to former order to the Houſe, and Mr. Speaker gave them the thanks of the Houſe, for their great Service, Care, and Induſtry in that Employment, for the time they continued in the place.

The Houſe to riſe daily at 12 *a Clock.*

Mr. Speaker was Ordered to put the Houſe in mind of their former Order, for riſing daily at twelve of the Clock.

May 7. 1647.

Lord Liſle *made report of the Money, Arms, and Ammunition which he left in* Ireland.

THE Lord *Liſle* made a report this day, of what Arms, Money, and Ammunition he left behind him in the Province of *Munſter* in *Ireland*; and at the ſame time Sir *John Temple* made report of the Affairs of *Ireland*, in relation to the Military and Civil Affairs of that Kingdom; and thereupon the Houſe ordered that the Lord *Liſle*, Sir *John Temple*, Colonel *Sydney*, and Major *Harriſon*, ſhall have the thanks of the Houſe, for their faithful Service in *Ireland*.

Ordinance for Soldiers Indempnity committed

The Ordinance for the Indempnity of the Soldiers, and ſuch as have acted for the Parliament in this time of War, was read the firſt time; this took up a long time, and then it was committed.

Soldiers not to be tryed by Commiſſion of Oyer *and* Terminer.

And upon a further Debate, the Order for trying Soldiers by Commiſſion of *Oyer* and *Terminer*, was this day revoked.

Common-Council.

They ordered that a Common-Council ſhall be called to morrow in the City, to communicate the Votes of the Houſe for the Security to be given to the City for the Loan of the 200000 *l.*

May

An. 1647.

May 8. 1647.

Intelligence from the Head-Quarter of proceedings in the Army between the Parliaments Commiſſioners and the Officers of the Army.

THIS day the Houſes ſat not; but from the Army we had by Letters, of the Proceedings of the Commiſſioners ſent from the Houſe, and the reſult of the meeting with the Officers of the Army, which was not until *Friday*, *May* 7. the Particulars take thus: Field Marſhal *Skippon*, Lieutenant General *Cromwell*, and the reſt of the Members of the Army ſent down thither, communicated unto the Officers the Votes of the Houſe, concerning their Arrears and Indempnity; and that they were enjoyned to employ their Endeavours to quiet all Diſtempers in the Army. Theſe Votes being read unto them, it was ſaid by ſome, that they deſired to know what was meant by Diſtempers in the Army; if it were meant of Grievances, (which the Soldiers complained of) they had then ſomething to offer; but in regard that if the Officers ſhould declare their Senſe, without the conſent of the Soldiers in their reſpective charge, it might perhaps be taken as an unadviſed and forward act in them, to undertake to declare the Senſe of the Army, before they know the general reſolution of the Soldiery; as it was too much forwardneſs in thoſe, who, in the firſt Paper preſented to the Parliament, ſubſcribed their Names, whereby the Parliament was inclined to believe they could engage their whole Regiments, of which there have been ſome failing, *&c.* And therefore theſe Officers now preſent, being unwilling to declare the Senſe of the reſpective Regiments, Troops, and Companies, without firſt acquainting them therewith, (that the Unanimity of the Souldiery may the more clearly appear, and their entire Reſolution be diſcerned) the Officers have time given them, 'till *Friday* the 14. of *May*, to communicate the Votes of the Houſe, and to repreſent to the Field Marſhal, and the reſt of the Officers ſent down, an account of their Proceedings therein. And leſt it may be thought that the Army hath no cauſe of Grievance, obſerve, that they being declared Enemies by Vote of the Houſe, if they perſiſted in their Petition to the General, (being merely for things relating to them as Soldiers) they think it an hard caſe. They likewiſe think, that for any Perſon publickly to declare (ſo as to inſinuate a belief, that a Petition was ſent from the Army to the King, to come to them, and they would ſet the Crown on his Head) it is a great Scandal, and expect Reparation. And likewiſe it is trouble unto them, that it ſhould be ſaid, that the Army is no more a new Model, that 4000 Cavaliers are in it; when as all the World cannot tax the Army (conſiſting of 21000 Men) for having one commiſſionate Officer, that ever was on the King's ſide againſt the Parliament, but one *, and he was by one or both Houſes intruſted in buſineſs of Concernment after his coming in, and made a Colonel by them, and afterwards recommended by Authority derived from them to the Army; as for the common Foot Soldiers that are in the Army, who being taken Priſoners liſted themſelves in the Army, have been engaged on ſeveral deſperate Services, as in ſtorming of Towns, and proved faithful and valiant to their Truſt.

Of Diſtempers in the Army.

Time till the 14. of May *to confer with the Soldiers.*

By Vote of the Parliament the Army declared Enemies if they perſiſt.

* *Capt.* Anthony Morgan.

Yet to make the *Army more odious* to the Kingdom, a Gentleman, a Servant to the Duke of *Buckingham*, rid poſt into the *North*, at every Stage ſcattering a Copy of this Paper, ſuppoſed to be ſent from the Army to the King; deſiring the Poſt-Maſter of *Royſton*, and

Falſe Intelligence againſt the Army by the D. of Buckingam's *Servant.*

and *Huntington*, to publiſh it for a Truth, averring the City had received certain knowledge thereof at a Common-Council. *23 Caroli.*

By other Letters from the *Army*, of the ſame date, we had to this purpoſe, *viz.*

Further falſe Intelligence, that the Army ſhould be diſarmed.

All things are quiet in the Army, there is no diſturbance in the Country; there was an Alarm given to Colonel *Hewſon*'s Regiment, that Warrants were come down to raiſe the Trained Bands, to diſarm them; whereupon they retired to a Church, with their Arms; but underſtanding it to be a falſe Alarm, went afterwards to their Quarters again.

The Field Marſhal of *Ireland*, at the meeting at *Walden*, *May* 7. inſtant, after he had related to the Officers the Vote of the Houſe, likewiſe made known unto them, his being nominated to command the Forces intended to be ſent into *Ireland*; and that it was expected by the Parliament, the Army ſhould engage freely in this ſo honourable and needful a Service and Employment, as to reduce that Kingdom, and wiſhed them to communicate it to their Regiments; expreſſing (with much Modeſty) his unfitneſs to the Service, yet his real Intentions and Endeavours to ſerve them was great, though he periſh in the Work. Upon the Report of this to the ſeveral Regiments, a Return will be made to him, what Numbers will engage in this Service, at the next meeting, which is to be on *Friday* next.

Viſitors of the Univerſity of Oxford.

The Viſitors for the *Oxford* Ordinance, whoſe Names were mentioned before, met this day, in proſecution of the Ordinance of Parliament, for Regulation of that Univerſity; they have ordered to ſend for the Heads of the ſeveral Colleges in *Oxford* to come before them.

May 10. 1647.

Concerning the Fight with the Sweeds *Ships about not ſtriking Sail.*

THE Houſe ſat not this day, but the Committee for *Iriſh* Affairs, and ſome other Committees ſate. The buſineſs of the Sea Fight, betwixt Captain *Owen* Rear-Admiral for the Parliament, and the fifteen *Sweeds* Ships, (mentioned laſt Week) is upon Examination before the Committee of the Admiralty: The Particulars we have ſince more fully underſtood, and they are thus; the Rear Admiral, which was attending ſome Commodities to be brought to build Ships, they being not ready, he went a little abroad, and in his Paſſage diſcovered 15 Sail of *Sweeds*, moſt Merchants, theſe he required to do Homage, as others, to *England*; they told him, they had Order from their Miſtreſs, Queen of *Sweeden*, not to ſtrike to any whatſoever: He thereupon diſcovering ſome Ships coming, bore up to them, found two to be *Engliſh* Merchants going for the Straits, and carrying between them thirty and forty Pieces of Ordnance; to each of theſe he repreſented the buſineſs, alſo a little Pinnace belonging to the Parliament. The two Merchants tell him they will aſſiſt him, for the Honour of *England*; whereupon he comes up, and lets fly at them; the Merchants conſider better of it, and ſail onwards on their Voyage, reſerving their Ammunition for to ſpend upon a greater Enemy; the Ship and Pinnace being engaged, diſcharged many Guns, but the Rear-Admiral, having a Shot ſo as ſhe could not ſteer, falls back, having loſt one Man, and two hurt; what hurt the *Sweeds* had he could not tell. The Night coming, the *Sweeds* go on in their Voyage. The Rear-Admiral ſends to Captain *Battin*, who with ſix Sail goes after, over-

Captain Battin *relieves Vice-Admiral* Owen.

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takes the *Sweeds* Ships, and having had Diſcourſe with the Commander-in chief of the *Sweeds* Fleet, and finding no Inclination to ſtrike Sail, brought him along into the *Downs*, after whom came all the reſt.

More Forces for Ireland, *Horſe and Foot. Col.* Birch, *and Col.* Kinnaſton's *Regiments.*

From the City of *Cheſter* Letters import thus. Nothing from *Dublin* this Week. The Commiſſioners (are yet here) were reſolved to go to Sea, the Wind being fair; expectation of Colonel *Birch* his Regiment, and the *Welſh* Foot, commanded by Colonel *Kinnaſton*, which latter will not be ready until *Saturday*, being not paid off by the Country, which muſt be done before they be liſted for *Ireland*, ſtaid them. Colonel *Jones* his Horſe are all to be ſhipt. Captain *Meredith*'s Troop is marched to *Moſton* in *Flintſhire*, to be ready to be ſhipped for the ſame end. A Letter of ancient date from *Ireland*, ſaith, the Rebels are fortifying all their Paſſes upon the River *Marrow*, and what other Places the *Engliſh* may poſſible approach them, reſolving to hold what they poſſeſs as long as they can, and chiefly *Kilkenny*, the place of their Head Council, and the Garden of *Ireland*; they fortifie *Athlone*, and what Places they hold in *Lempſter*.

Lady Cave *to convey Letters to the King at* Holmby.

And from *Holmby* by Letters thus; Here was lately taken the Lady *Cave*, who lay at a Gentleman's Houſe near this place; ſhe waited an Opportunity to deliver Letters from her Majeſty to the King: She being Examined, confeſſed ſo much, and promiſed if the Commiſſioners would appoint ſome to go with her to the place where ſhe lay, ſhe would ſend it; ſhe was committed to the care of the Mayor of *Northampton*.

May 11. 1647.

Scots *Auxiliary Forces to return from* Ireland.

A Committee was appointed to draw Reaſons to give to the Lords, for paſſing the Ordinance for the *Scots* Forces to depart out of the Kingdom of *Ireland*.

Of Judge Jenkins's *Vindication.*

The Houſe had much Debate of a Printed Paper, Entituled, *Judge* Jenkins's *Vindication*; and referred it to the Committee of Complaints, to examin and ſtate the matter of Fact, and report on *Friday* Morning next.

A Pamphlet in the Name of Sir Dudley Diggs.

A Pamphlet in the name of Sir *Dudley Diggs*, pretended to be written by him, concerning the Illegality of Subjects taking up Arms againſt their Soveraign, was referred to the ſame Committee.

The Committee was likewiſe appointed to ſend for the Printers, Writers, and Venders of theſe Pamphlets, and to commit ſuch as they ſhall ſee occaſion; and conſider of bringing the Printers and Publiſhers thereof to a Trial at the *Kings-bench* Bar.

Mr. Selden *was ordered* 5000 l. *for his Sufferings.*

Five Thouſand Pound was ordered for Mr. *Selden*, in reſpect of his great Sufferings in the third Year of King *Charles*, and long Impriſonment upon the *habeas Corpus* buſineſs.

Major Boſvil.

Alſo a Petition was preſented, in the behalf of Major *Boſvil*, (who delivered a Letter from the Queen to his Majeſty) deſiring to be tried, or diſcharged; upon debate whereof, he was ordered to be ſent Priſoner to *Newgate*.

Confeſſion of Faith, with Scripture Notes.

Mr. *Byfeild* (by appointment of the Aſſembly of Divines, upon an Order of the Houſe of Commons) delivered the Printed Books of the *Confeſſion of Faith*, with Scripture Notes, to the Members of the Houſe of Parliament. And no more being to be diſperſed, every Member ſubſcribed his Name to a Paper, at the receipt thereof. After the Members have well peruſed and examined them, the

23 *Caroli.*

the Houſes are to conſider whether they ſhall approve them for Publication.

Upon a complaint of divers Paſſes and Tickets granted for ſome to go beyond Seas, *&c.* the Houſes ordered, that Colonel *Manwaring* be enjoined to grant no more Paſſes in that kind.

Commiſſioners at Walden *have given longer time to the Army for their Anſwer.*

Letters from the Commiſſioners at *Walden*, this day read in the Houſe of Commons, do inform, that upon their meeting *Thurſday* and *Friday* laſt, it was concluded, that the Officers do treat with the Soldiers, whoſe Anſwer cannot be given in before *Saturday*.

The *Propoſitions* to be ſent to the King, were this day ordered to be brought in, with the Amendments.

May 12. 1647.

The Earl of Denbigh *to have leave to be abſent from* Holmby.

THE Houſe of Peers this day received a Letter from the Earl of *Denbigh*, one of the Commiſſioners with his Majeſty at *Holmby*, deſiring leave to return for ten days; which Letter was read, and granted.

Earl of Dumfarling *to go to the King at* Holmby.

A Letter was read from the *Scots* Commiſſioners, deſiring leave for the Earl of *Dumfarling* to have acceſs to the King, and attend his Majeſty, according to the Agreement. Their Lordſhips ordered that he have acceſs to his Majeſty, and that the Concurrence of the Houſe of Commons be deſired therein.

Security for 200000 l. *paſſed the Commons by the Ordinance following.*

A Report was made to the Houſe, of the whole Tranſaction with the *Common-Council* of *London* the laſt Week, about the Loan of the 200000*l.* and the Ordinance for ſecuring and paying the Advancers thereof, was then read, and paſſed the Commons Houſe, and ſent up to the Lords, and likewiſe paſſed by them, and ordered to be Printed. The Ordinance it ſelf is too large to inſert; but being of that length, the Reader is referred to that Ordinance in Print.

Intelligence from the Iſle of Jerſey.

That the Governor of *Jerſey* hath cauſed a Liſt to be made of thoſe he ſuſpects to be well affected to the Parliament, and hath proceeded againſt them, by baniſhing, impriſoning them, and thoſe that were ancient and old, he hath cauſed them to pay great Sums of Monies; alſo it is certified, that the ſaid Lieutenant Governor entertains ſix or ſeven Frigots about the ſaid Iſland, together with many other Pirates that have lately retir'd themſelves there, having at this preſent no other Shelter in this Kingdom for their Security; all which *Picqueroons* do great Miſchiefs and Robberies upon the Merchants of this Kingdom, that trade towards thoſe Parts, and elſewhere. And that one Captain *Amy*, a moſt barbarous and violent Captain of one of thoſe Frigots, being chaſed at Sea by the *Conſtant Warwick*, his Frigot founder'd in the Sea, by over-bearing Sail; and if the Parliament do not take a ſpeedy courſe for the reducing that Iſland, it will prove of dangerous Conſequence to this State; for *Guernſey* will be in great danger to be loſt, and ſo become a ſecond *Dunkirk*, and a neſt for all Pirates.

May 13. 1647.

THE Houſe then conſidered of that part of their Lordſhips Meſſage, concerning the Lord of *Dumfarling* to be admitted to attend his Majeſty; and hereupon a Letter from the *Scots* Commiſſioners at *Worceſter*-Houſe was read, deſiring that he might attend the King, *&c.*

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The Houſe debated long upon this buſineſs, and at laſt Ordered the ſaid Earl of *Dunfarling* ſhould be admitted to attend his Majeſty, according to the Engagement of this Kingdom to the Kingdom of *Scotland*; but not to attend his Majeſty as a Servant.

Vice-Admiral of the Sweediſh Ships diſcharged.

Their Lordſhips upon the Report of the Committee of the Admiralty, paſt a Vote in Confirmation of that Report, concerning the diſcharge of the Vice-Admiral of the *Sweediſh* Ships brought into the *Downs* by Captain *Batten*; after the reading of the ſaid Report, and Order thereupon, the Houſe Ordered to concur with their Lordſhips therein; and a Letter to be ſigned by both Speakers to be ſent to Captain *Batten*, for the diſcharge of the ſaid Vice-Admiral and the reſt of the *Sweediſh* Ships, was read and aſſented unto.

Propoſitions.

The Propoſitions to be ſent to his Majeſty, were this day ſent to the Lords for their Concurrence.

May 14. 1647.

A fortnights Pay to be added to ſix weeks Pay for Diſbanding of the Army.

THE Houſe took into Conſideration, *an Addition* to be made to the *ſix weeks Pay*, formerly Voted the Army upon Diſbanding, and reſolved that a fortnights Pay more ſhould be added to that upon the Diſbanding.

And that ſix weeks Pay more ſhould be given to thoſe that *will go for Ireland*. Likewiſe the Commons after long Debate paſſed the *Ordinance* for the *Indempnity* of the Souldiers, and alſo for the Indempnity of the *Committees* of the ſeveral Counties, for what they have done in purſuance of the Ordinances of Parliament, which Ordinance being ſent up to the Lords, they likewiſe concurred therein.

Indempnity to Committees in the Country.

The King declares he hath long waited for the Propoſitions.

This day came Letters from *Holmby*, certifying that the King called the Commiſſioners about him, and told them, that he had long waited to have the *Propoſitions* ſent unto him, and now that he had heard the *Scotch* Commiſſioners were come to *London*, he was in hopes to have had them before now; but ſeeing they came not, and himſelf deſirous to deliver his Mind concerning them; he had prepared an Anſwer to them, having the Propoſitions ſtill lying by him, as they were delivered unto him at *Newcaſtle*, and if he might not be allowed a Secretary to tranſcribe his Anſwer, he would ſcrible it over himſelf as well as he could. And it was further certified, that he ſaid his Anſwer was ſuch, which he had prepared, that he hoped to be juſtified in the ſame.

Enſign Nichols.

It was taken into Conſideration, the Commitment of Enſign *Nichols* of the Army, and 10*l.* was Ordered to thoſe two Officers who brought him to Town; the queſtion being put whether 10*l.* more ſhould not be given for the defraying the Enſigns Charges alſo. It was carryed in the Nagative by three Voices.

Marſhal General *Skippon*'s Speech at the Convention of Officers at *Walden*, *May* 15. 1647.

May 15.

Gentlemen and Fellow Souldiers,

WE *are here* once more *according to appointment* met together, *to deſire you to give us a clear and faithful* account of your communicating the Votes *of the Houſe of Commons to your ſeveral Regiments, and thoſe under your Command; and to deſire you to inform us how you have laboured to ſatisfie them in the care the Honourable Houſe took in thoſe Votes for the Army, and what ſincere Inſtructions and faithful Endeavours you have uſed*

23 *Caroli.*

ſed to make them ſenſible thereof, and what Diſtempers *you found in your ſeveral Regiments, Troops, and Companies, that we may know how you have in theſe particulars diſcharged your Duties, as Conſcientious Chriſtians in the ſight of God, and as men faithfully obedient to the Parliament of* England.

I am further to deſire you upon a Motion made again and again, upon a Mention of my ſelf in relation of Ireland, *to deſire you to let me know how you find your ſeveral Regiments diſpoſed.*

The juſtneſs, the honourableneſs, and neceſſity of the Service, cannot be unknown unto you: I deſire you according to the Mind of the other Gentlemen that were ſent down with me, not as Commiſſioners, *but as Parliament Men, and Members of the Army, That you would in theſe particulars give us ſatisfaction, that it may appear to us, and to the Parliament, and to all the Kingdom that hear of our proceedings, that you have faithfully diſcharged your Duties, as we deſire to do to the Parliament for the Service of the whole Kingdom; I pray that there may be an Orderly proceeding in what we have to do; I doubt not but in the end of all, we ſhall find that nothing is aimed at in all things, but what tends to the real Service of the Parliament, and the good of the whole Kingdom.*

Saturday, May 15. 1647.

Intelligence from Ireland.

FROM *Ireland* we underſtand, That the ſtrong and conſiderable Caſtle and Town of *Caterloughly* is delivered upon Quarter, which hath much puffed up the Enemy, who have now an intention to beſiege *Trym*, the moſt conſiderable Garriſon within our Quarters, next to *Dublin* and *Droheda*; all our Horſe are Commanded to Rendezvous at *Skreene*, near *Terra-Hill*, a Campaign Country, upon *Tueſday* next. It is ſuppoſed they will make up the number of ſeven hundred. Two hundred of our Foot are to be mounted, and go along with them. The Rebels intend with all ſpeed to fall into our Quarters with a running Army, to ſweep away all our Cattle, if not prevented by the power of our Horſe; Captain *Stephens*, and ſeveral other of our Army are taken Priſoners by *Fitz Gerald* of *Ballyſoman*. Mr. *Hatfeild* being in the ſame Company, ſaved himſelf and his Mony by the ſwiftneſs of his Horſe.

This Evening Intelligence came from *Saffron Walden*, the Head-Quarters of the Army, of *the Reſult* of the Debates betwixt the Parliaments Commiſſioners, and the Officers and Souldiers, to this purpoſe, That the Houſe paſſed ſeveral Votes for the ſatisfaction of the Souldiers, for Arrears and Indempnity, and alſo to find out the Diſtempers of the Army, which they deſired might be communicated by the Officers to the ſeveral Regiments; upon which the Souldiers deſired to chuſe *Committees* of themſelves, out of every Troop and Company, to confer together concerning the ſame. The Committee of Troopers met at St. *Edmund-Bury*, and the Foot who choſe two out of every Company, ſent them to confer with the Troopers; and every foot Souldier gave four Pence a piece, towards defraying of the charges of that meeting; their ſeveral returns being made to the Officers, the Officers repaired to the Head-Quarters with the ſame, and upon the whole matter gave this account, That they found *no Diſtemper* in the Army, but *Grievances many* which the Souldiers complained of; and becauſe ſome Regiments differed from others in making known their reſpective Sufferings, it was referred to a Committee of General Officers to contract into a method, what was propounded in general, as the Senſe of the whole Army; and if any particular thing was deſired by one Regiment, which was waved by another,

At Saffron Walden *the Souldiers chuſe a Committee of Troopers out of every Regiment.*

That the general Officers contract the grievances of the Soldiers.

that

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that it might not be accepted, or preſented as the Senſe of the whole Army. So in concluſion, the Officers concurred in a draught, which was ſo formed out of the whole, that all the Grievances which the Army complains of are diſtinctly ſet down in the ſame, *in the name* of the Officers and Souldiers of the Army, and was this day preſented to Field Marſhal General *Skippon*, deſiring him to preſent the ſame to the Parliament, that a candid Conſtruction might be had of their proceedings. I ſhall forbear at preſent to relate the particulars, only this in general, they meddle with nothing but what pertains to them as Souldiers, and earneſtly deſire Juſtice and Reparation in what they have preſented as their Grievances, particularizing no Man, unleſs Mr. *Edwards* for his *Gangrena*, which he is charged to put forth, to make the Army odious to the Kingdoms.

Gangrena.

May 17. 1647.

Ireland's *good ſucceſs by Lord* Inchiqueen.

THIS day by Letters to the Committee for *Iriſh* Affairs came News very acceptable, of the gallant proceedings of the Lord *Inchiqueen* againſt the Rebels in *Ireland*, That he hath taken from the Rebels *Dungarvan* Caſtle, and the Fort *Caperqueen* and *Drummany*; the two laſt were ſurrendered on very eaſie Terms, not above four or five Shot made at *Drummany* before it was yielded, and *Caperqueen* was ſurrendered before a Shot was made againſt it, for they were forced to yield for want of Powder; The Souldiers are enraged that they had ſo good Terms as was given them. They marched out from all theſe Garriſons with their Arms, Colours flying, Drums beating, Bullet in Mouth, their Goods and Proviſions. The Rebels made two Sallies out of *Dungarvan*, a Sea-port and a walled Town, in half an hour, and killed two of our Captains and ſome others; after we had poſſeſſion of the Caſtle which ſtands cloſe to the Town, and deprived the Rebels from Water, they ſurrendered it on the ſame Terms. But ſome twenty Engliſh men of the Red-Coats, that had run to the Rebels, that were taken in the ſeveral Garriſons, were hanged.

Caperqueen *and other Forts taken.*

From *Dublin* by Letters, dated *May* the 9*th*, they write, That the Marqueſs of *Ormond* received Letters from *Kilkenny*, by the *French* Agent, for a Ceſſation until *Allhallontide*, upon condition that no more *Engliſh* be ſent over in the Interim, elſe that they would Proclaim open Wars. The Agent returned *April* the 5*th* with a Negative Anſwer.

The Iriſh *ſeek for a Ceſſation.*

The Lord *Digby* the other day was riding out of *Dublin*; the new Souldiers at that time guarding the Port, and knowing him, demanded his Paſs, but having none, and ſuppoſing his Intereſt ſufficient, he ruffled with them; the Guard gathering about him, intending him no good, he clapt Spurs to his Horſe and ran at a higher rate towards the Bridge Port, where he was befriended and ſecured. The new *Engliſh* following him with drawn Swords, crying ſtop the Traitor *Digby*, but in vain; he was conveyed over the River by the Lord *Taaſe* and other of his Friends, and intends for *France* if poſſible. The Lord Preſident of *Conagh* hath a new deſign on foot, having a little refreſhed himſelf after his laſt Expedition. Colonel *Conway* was abroad laſt week with a Party of 200 Horſe and 400 Foot, took 600 Cows and as many little Horſes, he returned finding no oppoſition. There Preached lately in Chriſt's Church the Biſhop of *Down*, where he delivered, That any

The Lord Digby *affronted by the Souldiery at* Dublin.

Power

Power ought to be obeyed tho' uſurped. This Doctrine much diſpleaſed the Biſhop of *Oſſory* who accuſed him; he ſaid he would juſtifie what he had ſaid; and Preaching after, he ſaid, the War in *England* was a wicked Rebellion, and never intended other obedience than as to Thieves and Rebels. 23 *Carol.*

May 18.

THIS day was read in both Houſes his Majeſty's Letter, (mentioned the laſt weeks Intelligence) it is large and well penned; in it his Majeſty gives Anſwer to the Propoſitions formerly ſent to him at *Newcaſtle*; to ſome he conſents in whole, to others in part; to others he ſaith he cannot conſent, and gives Reaſons. For the *Presbyterial Government* he is willing to have it ſettled for three years, and conſenteth to ratifie the Aſſembly of Miniſters ſitting at *Weſtminſter*, propounding a certain number of his own Miniſters to be added to the Aſſembly, to conſider what Government to ſettle after the three years, whether the Presbytery or ſome other, and in the mean time, that he and his own Houſhold may be free to uſe the old form, and Common-Prayer Book. As to the *Militia*, he yields it for ten years, and that afterwards it may return to him. The Covenant his Majeſty is not ſatisfied in, but would have ſome of his own Miniſters ſent to ſatisfie his ſcruples therein. The *Great Seal* he will ratifie, and he to have it for the future as formerly. For the *City of London* he grants what is deſired; ſpeaks much in behalf of thoſe that took his part in the War. He will call home the Prince, and deſires to come to *London*, that he may the better give ſatisfaction to the Parliament, and they to him. To the ſeventh and eighth Propoſition his Majeſty will aſſent; and to the ninth, after he ſhall be further ſatisfied how the Penalties therein levyed ſhall be diſpoſed of. To the tenth for an Act againſt *Papiſts* he will conſent, and propounds to paſs a general Act of *Oblivion*, and free pardon to all on both ſides; and *this in ſhort is the ſum* of the Letter. The Houſe of Peers upon reading this Letter, referred the ſame to a Committee, and the Commons appointed to take the ſame into Conſideration on *Thurſday* following.

King's Letter in Anſwer to the Propoſitions ſent to him.

As to Church Government.

As to the Militia.

As to the great Seal.

As to the City of London.

As to the Papiſts and Oblivion.

Letters were this day read from the Commiſſioners now with the Army, purporting they had ſent alſo the laſt reſults of the Houſes, for the addition of fourteen days pay more, and the Act of Indempnity to the Officers, and ſo to the ſeveral Regiments, and were almoſt ready to make return of what they had from them; the buſineſs being very weighty, of ſuch concernment, that it equalled, if not exceeded any in which they had formerly been intruſted; could not poſſibly be ſooner prepared being of many particulars, and therefore they deſired to know the Houſes pleaſure, that they might attend them with it. The Commons upon Debate thereof, paſſed ſeveral *Votes to this purpoſe*, viz.

Letters from the Commiſſioners of Parliament with the Army.

That their buſineſs exceeds the weight of any that ever they were entruſted with.

That all the Forces of this Kingdom not ſubſcribing for the Service of *Ireland* ſhall be *Disbanded*, excepting thoſe for the Garriſons, and that it ſhall be referred to the Committee at *Derby-Houſe*, to conſider of the time and manner of Disbanding them.

That all the Forces of this Kingdom, not ſubſcribing for Ireland, *be Diſbanded, except Garriſons.*

That the General, if it may ſtand with his health, be deſired forthwith to repair to the Army.

The Parliament deſires the General to go to the Army.

That a Letter ſhould be written to the Commiſſioners in the Army, to ſend up any one or two of them to the Houſe, to give an

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M. G. Skippon *Field Marſhal to ſtay in the Army.*

an account of their Proceedings in the Army, excepting Field Marſhal *Skippon*, who is to be left there to advance the Service for *Ireland*.

Succeſs in Ireland *by Lord* Inchiquin.

A Letter was read this day in the Houſe, from the Lord *Inchiquin*, confirming the former Relation of his taking in of *Dungarvan*, *Drummany*, and *Caperqueen* in *Ireland*; deſiring Ammunition to be ſpeedily ſent to him.

Proviſions for him.

After the reading hereof, they ordered that a Train of Artillery ſhould be ſpeedily ſent over to the Lord *Inchiquin*, for the Service of *Munſter*.

That 150 Draught Horſes, and twenty Waggons be ſpeedily ſent over.

That it be referred to a Committee at *Derby* Houſe, to ſend for Amunition from ſuch Places as may beſt be ſpared, for the Service of *Ireland*.

That a Letter of Thanks be ſent to the Lord *Inchiquin*, for all his faithful Services, and in ſpecial for this.

May 19. 1647.

Confeſſion of Faith.

THE Houſe this day, according to former Order, debated the *Confeſſion of Faith* preſented from the Aſſembly, and ſpent the whole day therein; paſſing particularly from the firſt Paragraph to the eleventh of the firſt Chapter.

They ordered this Debate to be reaſſumed *Friday* next.

This day the Houſe paſſed the Liſt of the Ships for this Summer's Expedition.

May 20. 1647.

Francis Newport, *Eſq; his Compoſition.*

THE Houſe this day heard the Report of the Committee of *Goldſmith's Hall*.

Francis Newport, Eſquire, his Fine was reported; it amounted according to that Committee's Proceedings, to the ſum of 9400 and odd Pounds.

* *A Petition to the Commons as the Supream Authority. One of the Petitioners committed for Words.*

A Petition was this day preſented, in the behalf of many Citizens of *London*, in proſecution of a * former Petition. After debate thereof, the Houſe was informed that Mr. *William Browne*, one of the Petitioners, ſhould ſay Words tending much to the diſhonour of the Houſe; that he ſhould ſay, being very importunate for an Anſwer to the Petition, that they had waited many days, and would wait no longer, but take another Courſe; upon which a Member asking his Name, he ſhould reply in theſe Words, *Time may come when I may ask you your Name.* He was called in as a Delinquent, kneeled at the Bar, and avowed the Petition. Mr. Speaker asked him, Whether he ſaid thoſe Words? He denied them, but ſaid it was thus, *That time may come, that your Name may be given in.* Mr. Speaker then acquainted him, at the ſecond calling in, that the Houſe was ſatisfied of the ſpeaking of the Words, by Members of the Houſe.

Votes concerning the Petition directed to the Commons the Supream Authority, order'd to be burnt.

The Houſe debated the Petition, and Voted, 1. That it was a high breach of Priviledge. 2. That it was ſeditious. 3. That this Petition, and the former, Intituled, *The humble Petition of many thouſands*, &c. ſhould be burnt at the *Exchange* in *Cornhill*, and the Palace Yard at *Weſtminſter*, *Saturday* next.

The Petitioners were called in, and were acquainted what a

ſenſe

23 *Caroli.*

ſenſe the Houſe had of that Petition, and their former; and did conceive the Petitioners did not do it out of any diſſatisfaction to the Parliament, but as being miſs-led by others, deſiring them to be careful in not agitating in Petitions of that Nature for the future.

The Houſe of Peers ſent a Meſſage to the Commons for their concurrence, to ſend a Congratulatory Letter to the Arch-Duke *Leopald* in *Flanders*, and for the ſettling of Embaſſadors for a ſetling of Correſpondency there.

The King's Letter debated for his coming nearer to London.

Their Lordſhips likewiſe this day took into conſideration the *King's Majeſty's Letter*, which was read, and inſiſted upon the firſt part, *viz.* his Majeſty's Deſire to come to *London*, and that he may give ſatisfaction to the Deſires of the Parliament, and they to his. The Votes of the Houſe, for his Majeſty's coming from *Holmby*, were read, and their Lordſhips, after Debate, put it to the Vote, whether his Majeſty ſhall remove to *Oatlands*, (which is ſixteen Miles from *London*, and ſome few Miles beyond *Hampton* Court,) and it was Voted, the King ſhall come to *Oatlands*, ſo ſoon as the Houſe can be made ready, and that it be prepared for his Majeſty accordingly; and that the Concurrence of the Houſe of Commons be deſired therein: But the Houſe of Commons have not concurred, nor as yet done any thing touching this buſineſs.

Provincial Aſſembly for London met in Blackfryars Church. Dr. Gouge Moderator.

This day a Sermon was Preached at *Blackfryars* Church, before the Provincial Aſſembly of Miniſters and Lay Elders of *London*; after which they aſſembled at the Convocation Houſe at *Paul's*, Dr. *Gouge* being Moderator. They are to ſit and adjourn at pleaſure as a Provincial Synod, for ſettling the ſeveral Claſſes in the Province of *London*, and removing all Obſtructions therein. This day his Excellency, Sir *Tho. Fairfax*, according to the Order of the Houſe, went from *London* towards the Army.

May 21. 1647.

THIS day both the Houſes paſſed the *Ordinance of Indempnity* for things done by Sea or Land, during the late Troubles and Wars, which being more large than ordinary, the Reader may ſee it more fully in Print; yet for ſome ſatisfaction, take the following Abſtract.

Ordinance of Indempnity for things done by Sea or Land.

THE Lords and Commons taking notice, that divers well affected Perſons have been ſued, indicted, proſecuted, or moleſted, and others are likely to be ſued, for Acts done by Authority of Parliament, during theſe late Wars and Troubles, do Ordain and Declare, That no Perſon, for any thing done or acted by Authority of Parliament, for the ſervice or benefit thereof, by Sea or by Land, ought to be ſued, indicted, proſecuted, or moleſted for the ſame; and that every ſuch Perſon ſhall be fully acquitted and diſcharged of all Actions, Suits, Indictments, Informations, Proſecutions, Judgments, Executions and Moleſtations whatſoever for or by reaſon of the ſame; and all Judges, Juſtices, Sheriffs, Mayors, Bayliffs, Jurors, Officers or Miniſters of Juſtice whatſoever, are required to take notice thereof, and duly to obſerve the ſame. And for the eaſe of all ſuch Perſons, who are or ſhall be ſued, indicted, proſecuted, or moleſted for any ſuch act or thing as is aforeſaid, it is ordained, That in every Action or Indictment wherein they ſhall be ſued, it ſhall be lawful for them to plead the general Iſſue.

And becauſe ſuch Perſons, who have acted, or commanded to be acted or done, any ſuch act or thing as aforeſaid, may be poor, and not able to defend a Suit at Common Law, or may find themſelves aggrieved in the Proceedings thereof; for a further relief, it is ordained, That any ſuch Perſon or Perſons, ſo ſued or moleſted, may at any time hereafter, when and as often as they ſhall be ſued, indicted,

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proſecuted, or moleſted for any ſuch act or thing as is aforeſaid, either before or after a trial at the Common Law, make their Complaint to a Committee of both Houſes named; and theſe, or any five of them, are to receive, hear, and determine ſuch aforeſaid Complaints, and to that end to examin Witneſſes upon Oath, and to commit to ſafe Cuſtody, if they ſhall ſee cauſe, all ſuch Perſon or Perſons, who ſhall ſo ſue, indict, proſecute, or moleſt any Perſons whatſoever, for acting or doing any ſuch act or thing as aforeſaid; and alſo to order and award to every ſuch Perſon or Perſons ſo ſued, indicted, proſecuted and moleſted, ſo much as they ſhall make appear to the ſaid Committee, that they have been damnified by any ſuch Suit, Indictment, Proſecution or Moleſtation as is aforeſaid, if they have not before recovered the ſame by the Proceedings at Common Law, according to this Ordinance.

And that when the ſaid Committee, or any five of them, ſhall have made any Order or Award in ſuch aforeſaid Caſes reſpectively, that the ſaid Perſon or Perſons ought not to be ſued, indicted, proſecuted, or moleſted for ſuch act or thing reſpectively; then upon ſhewing the ſaid Order or an Award to the Solicitors, Attornies, or Counſellors of the Party or Parties ſo ſuing, indicting, proſecuting, or moleſting, as is aforeſaid, the ſaid Solicitors, Attornies, and Counſellors, ſhall preſently forbear to proſecute or aſſiſt, counſel or adviſe the ſaid Party or Parties to ſue, or indict, or proſecute any further for ſuch act or things reſpectively: And that if thereupon they ſhall not forbear ſo to do, the ſaid Committee, or any five of them, are hereby authoriſed and required to commit to ſafe Cuſtody, any ſuch Solicitors, Attornies, or Counſellors, ſo offending as is aforeſaid, if they ſhall ſee cauſe.

Proviſo in the Indempnity.

Provided always, That this Ordinance, nor any thing herein contained, ſhall not extend to diſcharge any ſuch Perſon or Perſons aforeſaid, who have acted or done, or commanded to be acted or done, any act or thing by Authority of this preſent Parliament, or for the Service or Benefit thereof, from making their true and juſt Accounts *to any Commiſſioners or Committee of Parliament, appointed or to be appointed for that purpoſe, of what they have taken, received, or had, for the Service and Benefit of the Parliament, as is aforeſaid.*

Arch-Duke Leopald, to viſit him.

The Houſe of Commons this day conſidered of the Meſſage from the Lords, whereof one part was, to deſire the concurrence of the Houſe, to an Order for Sir *Peter Killegrew* to go with a Letter from both Houſes, to congratulate the Arch Duke *Leopald*, the Emperor's Brother, who is lately come to the Government of *Flanders*; to the end that Amity and Affection may be continued between theſe two Kingdoms.

Sir Peter Killegrew.

The Houſe hereupon ordered to agree with the Lords in this Meſſage, and that Sir *Peter Killegrew* ſhall go with this Congratulatory Letter.

The Houſe referred the conſideration of this Letter to a Committee, to be reported to the Houſe with ſpeed.

Sir *Peter* was referred to the Committee of the Revenue, to be ſatisfied his Diſburſements in his late former Journies.

He was referred likewiſe to a Committee, to be furniſhed with Accommodation for this Embaſſy.

Mr. Brown, *Clerk in the Lord's Houſe, had his Name forged to an Act of Parliament.*

The Houſe then took into conſideration another part of their Lordſhips Meſſage, that Mr. *Browne*, *Clerk of the Parliament*, had his Name lately forged to a pretended Act of Parliament; and that this Writing remained in the hand of a Member of that Houſe. Ordered, that the ſaid Writing ſhould be delivered to Mr. *Browne*, that he may examin this Forgery, that ſo the Parties concerned may be repaired, and Mr. *Browne* vindicated.

Gentry of Northamptonſhire *complain of heavy Preſſures.*

A Petition was preſented by the Gentry of *Northamptonſhire*, of the heavy Preſſures that Country lay under. This Petition was read, and ordered to be debated on *Thurſday* next.

The Petitioners were called in, and Mr. Speaker acquainted them, that the Houſe was very ſenſible of their heavy Preſſures, and

and gave them Thanks for their conſtant good Affections to the Parliament and Kingdom, and that their Petition was ordered to be ſpeedily debated.

23 Carol.

Some of the Commiſſioners of the Army being come this day to the Houſe, they made a report of their Proceedings in the Army, and of the deſires of the Army, of which mention was made before, and a Declaration of the Army to clear Proceedings. And afterwards Mr. Speaker, by Command of the Houſe, gave them Thanks for this good Service, and their great pains therein; and ordered, that the reſt of the Commiſſioners ſhould have Thanks when they returned.

Commiſſioners ſent to the Army report their Proceedings.

They then inſiſted upon the deſires of the Army; and upon debate ordered,

Votes on the Report made.

1. That the Soldiers *Arrears* ſhould be ſpeedily audited, and a *viſible Security* given them for ſo much of their Arrears as ſhall not be paid off upon *disbanding*.

To pay Arrears upon disbanding, and viſible Security.

2. That an Ordinance ſhould be drawn, to make good the Declaration of both Houſes, for *Apprentices* of *London* and other Corporations, to have their time of Freedom allowed them that have ſerved in the Wars for the Service of the State.

Apprentices, who have ſerv'd in the Wars, to have their Freedom allowed.

3. That an Ordinance ſhall be drawn, for not preſſing of ſuch Soldiers as have voluntarily ſerved in theſe Wars, for any ſervice beyond the Seas.

That Soldiers ſhall not be preſſed to ſerve beyond Seas.

4. That an Ordinance ſhould be drawn for providing for a ſufficient Maintenance for Widows, maimed Soldiers, and Orphans, in all the Counties of the Kingdom.

Widdows and maimed Soldiers.

As to the point of *Vindication* of the Army from that Aſperſion publickly laid upon them, of ſending to the King to join with them; and alſo concerning the Declaration put forth againſt them, and to be repaired, concerning the Impriſonment of ſome of their Officers, The Houſe referred it to a further Conſideration, and the Debate of this particular to be on *Tueſday* next.

Vindication of the Army againſt their ſending to the King.

The Houſes ſate not, (*May* 22.) but ſeveral Committees, as the Committee for *Iriſh* Affairs, for the Navy, for the Admiralty, and ſome other Committees ſate.

Some Citizens Petition, before mentioned, directed to the Commons *the Supream Authority*, was *this day burnt* at *Weſtminſter* and the Old Exchange, as was ordered by the Houſe.

The Petition to the Commons, the Supream Authority, burnt at Weſtminſter, &c.

This day *Intelligence* came from the Army, that ſince the Commiſſioners went up to *London* with the Grievances of the Army, and a Declaration of their Proceedings, all the Officers are repaired to their ſeveral Quarters, and that *Friday* the General, Sir *Tho. Fairfax*, came to the Head-Quarters at *Walden*, to the great Content and Joy of the Army: That all are quiet, and their Expectations great of the Pleaſure of the Parliament concerning their Grievances, being in things relating to them as Soldiers.

The General's return to Saffron-Walden.

But beſides this, we had further Intelligence this day, concerning a Letter in Ciphers, from Mr. *Aſhburnham* to the King at *Holmby*; which Letter was intercepted by Captain *Abbots*, a Captain of Dragoons in the Army, and is now unciphered; by which it appears, that Mr. *Aſhburnham* adviſed the King to forbear to make any abſolute Agreement with the Parliament, for now that the Peace beyond Sea, between the King of *Spain* and the United Provinces was almoſt concluded, the King might rely on the aid of 40 or 50000 Men; with ſome other Paſſages. The Letter is brought up, and delivered to the Parliament.

Mr. Aſhburnham's *Letter intercepted, giving hopes of foreign force, 40 or 50000 Men.*

That Peace between Spain *and* Holland *is near a concluſion.*

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May 24.

Succeſs againſt the Gourdens *in* Scotland.

THE Affairs of *Scotland*, as to the ſubduing the Enemy there, goes ſucceſsfully on. *Hen. David Leiſley*, having already cleared the North of the *Gourdens*, is returned within thirty Miles of *Edenburgh* with his Army, intending againſt *Kilketto* in the Lord of *Argyle's* Country, and the Weſt of *Scotland*, as it's believed, with whom will go the Lord *Argyle*. The inacceſſible paſſage gives that very difficult.

Of the affairs of *Ireland* from *Cheſter*, *May* 21. they write thus.

To ſend ſome Forces for Ireland, *to preſerve* Trim *under the Command of Col.* Fenwick.

The Commiſſioners having now opportunity of Wind, reſolve for *Dublin* with ſuch Forces as they have ready. It is reported the Rebels are drawn towards *Trim*, of which Colonel *Fenwick* is Governour; for better preſerving whereof, the Lord of *Ormond* hath ſent 100 Horſe with Pick-axes and Shovels, being deſirous to preſerve as long as may be that, and what elſe he holds, in hopes that an Army for the Field may come out of *England* yet before all is loſt, and that Army under an active and ſtirring Chieftain, otherway time being much ſpent, it will be a great Deſtruction to *Engliſh* Bodies and Treaſure.

Succeſs in Ireland *by Colonel* Conway.

Colonel *Edward Conway*, the Lord *Conway's* Son, returned to his Quarters at *Liſſne-Gerney*, in the Province of *Ulſter*, the 29*th* of *April* laſt, with a Party conſiſting of 300 or 400 Horſe, and 400 Foot, drawn out of the Regiments of the Lord *Claneboye's*, Sir *John Clotworthy's*, and Colonel *Conway's* own Regiment, and out of Colonel *Hill's* Regiment of Horſe, and other Troopers; they marched into the Rebels Quarters in the Countries of *Louth* and *Moneyhan* near *Carrakin Roſſe*, met with five Companies of the Enemies Foot, and two of their Troops, whom they beat and purſued two or three Miles, and kill'd divers of them, and took a great Prey of lean Cows and Horſes, about a 1000 in number; and the ſame Party intends the next week to make another Expedition into another part of the Enemies Quarters, although they lie about 50 Miles diſtant from our Garriſon.

Intelligence as to Jerſey.

That the Governour did underſtand, That the Rebels of that *Iſland* which are at *London*, have procured Purſes from the Parliament to invade *Jerſey*; and that therefore he would have him to prepare againſt them, and he will take care to ſend him ſpeedy relief, and ſupplies from *France*, and that he ſhould baniſh all thoſe who ſtand for the Parliament, and to impoſe a new Oath on the Inhabitants; that the Deputy Governour hath Cloathed all his Souldiers in Red-Coats, with the Cloath that was taken going for *Ireland*, which was brought thither by his Frigots.

More Intelligence of Peace between Holland *and* Spain, *to be ſuddenly concluded.*

More *Foreign News* which is writ from the *Hague*, *May* 24. Things are ſo far compoſed, and each now ſo well underſtand the other, that upon the matter *Peace with Spain* is reſolved by all, and will ſuddenly be concluded; which as it's very ſadly apprehended by the *French*, becauſe they thereby become Defendants in *Flanders*, being but 14000 ſtrong, the Arch-Duke 10000 Horſe, and 20000 Foot, and Beſieging *Armentiers*, which is not taken, only they hope to carry it by the 28*th* of this inſtant, as they give out; likewiſe it puts them upon a ſudden Reſolution to agree with *Spain*, for which end Monſieur *Servient* is haſtening to *Munſter*, matters being there in as good forwardneſs, as between the States and *Spain*; if this ſhould produce a general Peace, and ſo great a Souldiery thereby vacant of Imployment, who knows how they

might

might be engaged by a little Mony, which no doubt their Maſters would give to be rid of them. 23 *Caroli.*

At the *Hague* there is great talk of the Parliament in *England*, and their Army falling out, and great wonder at it, as the Affairs of *Ireland* and others related to *England* ſtands. The Elector of *Brandenburgh* is taking his leave here, and going for *Cleave* with his Princeſs; the Prince of *Orange* goes along with him, and entertains him at his Houſe by the way as he paſſes. He intends to be Sworn in the Province of *Gelder*, *Zutphen*, *Overiſſelfrize*, &c. what the Latitude of his Power will be, will be conſidered of.

News from beyond Seas, that the Army and Parliament are falling out.

Tueſday, May 25.

A Report was this day made to the Houſe, from the Committee of *Iriſh* Affairs at *Derby-Houſe*, to whom it was referred to conſider of the time and manner of *Disbanding of the Army*, (but no mention in the ſaid Order to report it to the Houſe) and upon this Report it was Ordered according to the deſires of the Committee.

A Report of the time and manner of Diſbanding the Army.

That his *Excellency's Regiment* ſhould firſt be Disbanded on *Tueſday* next at *Chelmesford* in *Eſſex*, and ſo many as will engage for *Ireland* to be preſently taken on, and a fortnights Pay advanced unto them out of the ſix weeks Pay, beſides the two Months Pay of their Arrears; and they are to march to *Ingerſtone*, there to receive Orders. That ſuch of them as Disband, ſhall have two Months Arrears paid them upon Disbanding, they delivering up their Arms in the Church. The like for the reſt at their ſeveral Rendezvous. That Colonel *Hewſon's* Regiment be Disbanded at *Biſhops-Stratford*, on *Thurſday June* 3. And thoſe that engage for *Ireland* to march to *Puckridge*, there to receive Orders. Colonel *Lambert's* at *Saffron Walden*, *June* 5. Advances for *Ireland* to march to *Heydon*, to receive Orders.

The General's Regiment to be firſt Disbanded.

Colonel *Harley's* at *Cambridge*, *June* 8. Advancers to march to *Stanton*, to receive Orders.

Colonel *Lilburn's* to be Disbanded at *Newark*, *June* 10. The Advancers for *Ireland* to march to *Boteſham*.

More Regiments to be Disbanded.

Colonel *Hardres Waller's* at *Huntington*, *June* 12. The Advancers for *Thouſton*.

Colonel *Hammond's* Regiment at *Beaford*, *June* 13. The Advancers to march to *Newport*, &c.

Colonel *Ingoldsby's* at *Woodſtock*, *June* 14. The Advancers for *Chipping-Norton*.

Colonel *Forteſcue's* all engaged already, and marched to *Bromeſgrave*.

Colonel *Herbert's* engaged, and marched to *Camden* already.

Colonel *Rainesborough's* deſigned for *Jerſey*.

Field Marſhal's Regiment at *Newcaſtle*, to be taken on for the Service of *Ireland*, and march according to Orders.

That the General ſhould be deſired to iſſue out his Orders to the ſeveral Regiments, to be at the times and place of their Rendezvous for Disbanding, and himſelf preſent at the Disbanding, and Field Marſhal *Skippon*, who is then to take on ſuch as will engage for *Ireland*. And in reſpect Colonel *Ingoldsby's* lies far off, the General be deſired to ſend ſome Officers thither to ſee them Disbanded.

That the General be preſent at the Disbanding.

That every Captain of each Company, ſhall bring in a Liſt of all the Names of his Company before the Disbanding. That

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That ſuch Souldiers as have not two Months due in Arrears to them, ſhall have ſo much abated.

That 40000 *l.* ſhall be advanced for the diſcharge of theſe Foot Regiments.

That all Commiſſion Officers ſhall receive their particular Debentures upon their Accompt, made by the Committee and Treaſurers of the Army.

That the Exciſe in Courſe ſhall be the Security for payment of the inferiour Officers, and Common Souldiers of the Army. The Delinquents Eſtates in the firſt Exception in the Propoſitions, ſhall be the Security for the payment of the Arrears of the Commiſſion Officers of the Army, not yet diſpoſed of. Ordered,

Mony for Diſbanding to be ſent to the ſeveral Rendezvous.

That the Mony for Disbanding the ſeveral Regiments be conveyed with ſtrong Guards, to the ſeveral places of Rendezvous.

Lords and Commons in a Committee to go down to the Army, and give to every Regiment thanks at Diſbanding.

That a Committee of Lords and Commons be appointed to go down to the Army, to give them the thanks of the Houſe in the Head of each Regiment, for their faithful Service to the Kingdom, and to be aſſiſtant to the General in the Disbanding the Army.

The Lords this day agreed to the Ordinance, for not preſſing of ſuch as had voluntarily ſerved in the Army for any Foreign Service.

Enſign *Nichols* was Ordered to be diſcharged from his Impriſonment.

Colonel *Lilburn*, Major *Sanderſon*, *&c.* were Ordered to be diſcharged from any further attendance.

May 26.

Monthly Faſt.

THIS day being the *Faſt-day*, Mr. *Valentine*, and Mr. *Huſſey*, Preached before the Lords, and Mr. *Caſe*, and Mr. *Hewes*, before the Houſe of Commons; after which the Commons ſate ſome time, and voted to give their Miniſters thanks, and deſired them to Print their Sermons.

Of a Son Marrying his Father's Wife.

The Houſe Debated concerning what Mr. *Hewes* acquainted them with, *viz.* That he had ſome few days before received a Paper from a good Hand, that one of his Neighbour Country in *Kent*, had *Married his Father's Wife*, and had a Child by her, and that he was now living, and ſome other vices in that nature ſpoken of, whereupon it was Ordered, that Serjeant *Wild* bring in the Ordinance on the morrow for the puniſhing of Adultery, Fornication, and Inceſt. It was alſo Ordered, that on *Wedneſday* next the Ordinance be brought in againſt Blaſphemy and Hereſie, and for the puniſhing thereof. And the Houſe Ordered Mr. *Cawdry*, and Mr. *Strickland*, be deſired to Preach before them the next Faſt-day.

Againſt Hereſie and Blaſphemy.

Torrington Church.

Upon a motion in the behalf of *Torrington* in the Weſt, for ſome relief for the building of that Church, which in the heat of the Fight with the Lord *Hopton* there was blown up; it was voted to be referred to the Committee of the Weſt, to take it into Conſideration, and to report it to the Houſe.

The General removes his Quarters from Walden *to* Edmunds-Bury.

This day from the Army came Intelligence, That his Excellency, Sir *Tho. Fairfax*, was removing his Head Quarters from *Walden*, to St. *Edmunds-Bury* in *Suffolk*, that ſo he might be nearer the Horſe, and the better take notice of their deportment, to prevent any Diſtempers in the Army, and that the Souldiery might be acquainted

of

of the House of Commons late proceedings, in relation to the grievances of the Army; his Excellency writ a Letter to the several Regiments, in these words.

23 *Caroli.*

For the Officer in Chief with the Regiment of Colonel ——

The General's Letter to the Officer in chief with every Regiment, that the Souldiers forbear any further Actings without their Officers.

I *Desire you forthwith to take Order, that notice be given by you to the several Companies of your Regiments, That the grievances of the Army were on* Friday *last presented to the House of Commons, and are by them admitted to be heard, and taken into Consideration. I do therefore require the Souldiers, to forbear any further Actings by themselves without their Officers in any irregular ways, and all Officers are strictly to see to it in their several Charges, That there be no more such Meetings or Consultation of Souldiers at* Bury *or else where.*

Given under my Hand the 24*th* of *May* 1647.

T. Fairfax.

Intelligence of a Petition of some Officers in the Army to the General.

Further Intelligence of a Petition of divers Officers in the Army, presented to his Excellency at *Saffron Walden, May* 23. which for better satisfaction was thus *verbatim.*

The Petition it self followeth.

To his Excellency Sir Thomas Fairfax, *the Petition of divers of your Excellency's Officers.*

After their humble thankfulness for those notable successes God hath blessed them with, under your Excellency's Conduct, and acknowledgment of your eminent Diligence, unwearied Industry, and exemplary Forwardness in the Publick Service; they have thought it necessary at this time in all humility, to present to your Excellency their sensibleness of some aspersions cast upon them, as if they aimed more at private Emoluments, than your Excellency's and the Armies Honour, or the Souldiers Advantage, thereby alienating the affections of their Souldiers from them, and rendering them less capable to serve the Publick.

They therefore humbly beseech your Excellency not to receive any Impressions from these Imputations, but that you will be pleased to rest assured, that as they can be out-done by none in their Fidelity to the Parliament, and Constancy to those Principles they first undertook their Service upon, so neither in the high esteem of your Excellency's Person and Conduct, nor in these desires, That the Army be disposed of with most Advantage to the Kingdom, and with the Honour and Satisfaction of the Souldiers, professing that they will by all lawful means endeavour their good and welfare as their own, and as their Judgments guide them to believe they ought to defend, *not to direct* the proceedings of those by whose Authority they were raised. Subscribed by Colonel Sir *Robert Pye*, Colonel *Graves*, Colonel *Sheffield*, Colonel *Butler*, Colonel *Fortescue*, and many Officers of the Army.

Thursday, May 27. 1647.

Earl of Ancram *to have part of his Arrears.*

A Message came this day from the Lords, desiring to recommend the Earl of *Ancram* to the House of Commons, for payment of some part of his Arrears.

Hereupon a Letter was read from the Commissioners of *Scotland*, directed to both Houses of Parliament on the behalf of the said Earl, and after some Debate, it was Ordered, that 1500 *l.* should be paid to the said Earl in part of his Arrears.

That 10 *l. per* week should be paid to the said Lord out of the Revenue, till further Order.

Some of the Militia move for more Mony for the City Guards.

The House was informed, That some of the Members of the Militia of the City had something to present to the House, they were

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were called in, and one of them preſented to the Houſe ſome Informations and Deſires, and the Grounds of thoſe Deſires to have the Sum of 12000 *l.* more than was formerly ordered, for maintenance of their Guards.

12000 l. ordered to the Militia of London *for the City Guards.*

The Houſe conſidered thereof, and agreed to it; and ordered that this 12000 *l.* ſhould be advanced upon the Security of the laſt 200000 *l.* in courſe.

The Houſe ordered that 18000 *l.* ſhould be advanced on the ſame Security, for the repayment of ſuch poor People as have advanced any Monies upon the Publick Faith of the Kingdom, it being under the Sum of 5 *l.* or not exceeding that Sum.

May 28. 1647.

Maimed Soldiers, Widdows, and Orphans.

AN Ordinance was this day paſt by both Houſes, for making ſufficient Proviſion of Maintenance for maimed Soldiers, Widows, and Orphans in this Kingdom.

Accounts of the Officers of the Army to be ſtated.

An Ordinance likewiſe paſt for ſtating the Accounts of the Officers of the Army.

Pay for inferior Officers and Soldiers.

An Ordinance likewiſe paſt the Houſe of Commons for charging the Sum of 150000 *l.* upon the Exciſe in courſe, for ſecurity of the Payment of the Arrears of the inferior Officers and private Soldiers of the Army.

An Ordinance paſt, for taking the Officers Accounts of the whole Kingdom; and tranſmitted to the Lords for their Concurrence.

A Declaration Congratulatory from both Houſes to the Army.

A Meſſage this day came from the Lords, deſiring the Concurrence of the Houſe of Commons to a Congratulatory Declaration, to be ſent from both Houſes to the *Army*.

Votes for diſbanding of the Foot. The Earl of Warwick *and Lord* Delaware *to be preſent.*

And to a Letter from both Houſes to the General, with the Votes of the Houſes to be incloſed, to deſire his Excellency to communicate the ſaid Votes for *diſbanding of the Foot Regiments* of his Army; that their Lordſhips had named the Earl of *Warwick* and the Lord *Delaware* Commiſſioners, to go down to the Army, to aſſiſt the General in disbanding of them.

Members of the Houſe of Commons to go with the Lords to the Army, to ſee their diſbanding.

The Commons agreed to the Declaration with ſome Amendment, and to the Letter and Votes; Sir *Gilbert Gerrard*, Sir *John Potts*, Mr. *Grimſton*, and Mr. *Knightly* to be Commiſſioners, to go down with the Lords Commiſſioners to the Army.

The Artillery of the Army to be ſent to Ireland, *the remainder to the Tower.*

It was referred to the Committee for *Ireland* at *Derby*-Houſe, to diſpoſe of the Train of Artillery belonging to the Army; and ſo much thereof as ſhall not be made uſe of for the Service of *Ireland*, to be brought unto the Tower of *London*.

500 l. for the Commiſſioners Charges.

The Houſe ordered, That 500 *l.* ſhould be preſently advanced to the Commiſſioners that are going down to the Army, for the defraying of their Charges there.

Col. Rainsborough *to ſtay his Regiment.*

Colonel *Rainsborough* was this day ordered to go down with his Officers to his Regiment, and command his Regiment to ſtay where he finds them, till the Houſe take further Order.

Capt. Latimer Sampſon *to command at* Briſtol.

A Letter this day came from the Field Marſhal *Skippon*, deſiring that Colonel ——— Deputy Governour of *Briſtol*, may have liberty to come to *London*; and that Captain *Latimer Sampſon* may command in his ſtead. The Houſe agreed thereunto according to his Deſire.

Saturday, the Houſes ſate not. From the Army we had thus much further, That his Excellency, Sir *Tho. Fairfax*, removed his Head-Quarters from *Walden* to *Bury* on *Tueſday* laſt, the better to adviſe

adviſe what is fitteſt to be done to keep the Army from Diſtemper. That the Votes of the Houſes on *Tueſday* laſt, for the time of their Disbanding, with eight Weeks Pay, are come to the Army, but they generally ſeem unſatisfied therewith, and ſay there is fifty ſix Weeks Pay behind due to them; and conceive they ſhould be better rewarded for their unwearied Pains and Hazards for the Parliament and City. But the General, to prevent what in him lies all Diſtempers in the Army, hath ſent for all his Officers to *Bury*, to adviſe what is to be done; and we hope all things will be quieted, and the great deſign and aim of thoſe, who would too gladly bring the Army into diſorder, come to nought.

23 *Carol.*

Intelligence that the Soldiers conceive 8 weeks to diſband is not juſtable to 56 weeks due.

The General ſends for his chief Officers to Bury.

Major General *Mitton*, and the Committee for *North-Wales*, have, after their great Pains and Care, ſetled the Diſtempers of the Soldiers that were there, and have disbanded all their Foot; and prepared a Regiment of betwixt 700 and 1000 of them for *Ireland*. They marched to the Water-ſide to take Shipping the beginning of the laſt Week.

For the Foot in North-Wales, 700 *for* Ireland.

Saturday, May 29. 1647.

THE great *expectation of the Kingdom* now is concerning the Army; from whence Intelligence comes to this purpoſe; And firſt from St. *Edmunds-Bury*, the General's Head-Quarters, we had this day Intelligence to this purpoſe; His Excellency having thought it requiſite, for the better knowledge of the Temper of the Soldiers, in relation to disbanding, to call a Council of War at *Bury*; accordingly the Officers met there on *Saturday*, about 200 in all. The General firſt communicated unto them the Votes of both Houſes concerning *the Time* of disbanding ſeveral Regiments; and having adviſed them to a compliance with the Order of Parliament, and uſed ſeveral Perſwaſions thereunto,

Time of Diſbanding.

The Council of War firſt had a Preſentation made of the Condition of each Regiment, and of ſuch Companies whoſe Officers were there. Upon the Reſult, it was put to the Queſtion, Whether by what they had obſerved in their Regiments, the Votes then read were ſatisfactory or no as to the Soldiers? It was reſolved in the Negative by all, [except Lieutenant Colonel *Jackſon*, Major *Gooday*, Captain *Highfield*, Captain Lieutenant *Knight*, Lieutenant *Heydon*, and another] the Reaſons were,

Votes of Parliament diſſatisfactory.

1. That the Sum Voted of eight Weeks Pay, was not a conſiderable part of their Arrears. 2. That no viſible Security was given for what ſhould not now be paid. 3. That nothing was done for Vindication, and that they being *declared Enemies*, and ſent home, they might hereafter be proceeded againſt *as Enemies*, unleſs the Declaration were recalled. After this a Petition was produced and read, which had been that Morning preſented to the General, in the name of the private Soldiers of the Army, Horſe and Foot, deſiring his Excellency to appoint a general Rendezvous of the Army before their disbanding; it being an occaſion of amazement to them to hear ſome of the Army ſhould be disbanded ſo ſuddenly as *Tueſday* next, before all their Grievances were redreſt. This was not then proceeded upon; but to prevent Diſorders, and for a more readineſs to ſuppreſs them, a Reſolve paſſed by the Council of War, that the Quarters of the Army ſhould be contracted nearer to the Head-Quarter, the matter of the Rendezvous being referred till the Afternoon; in the mean time Com. Gen. *Ireton*, Col. *Lilburne*, Col. *Okey*,

Reaſons why the Votes are unſatisfactory.

That the Quarters of the Army be contracted.

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Okey, Col. *Rich*, and Col. *Hariſon*, were appointed to draw up ſome Heads of Advice, to be preſented to the General by the Council of War, and it was reſolved upon the Queſtion in the affirmative, by all, [except five or ſix Officers.] The reaſon of this was, that conſidering how much the Army is agrieved and diſcontented, the matter of drawing to the general *Rendezvous* was accordingly reſumed in the Afternoon. At preſent it was thought there was a neceſſity for the Officers to comply with the Soldiers, who, as indeed was intimated, *would have a Rendezvous without their Officers*, which would be *tumultuous* and of dangerous conſequence, the ſpoil of the Country, and deſtructive to the Kingdom. After this, having before appointed a *Declaration* or Advice to be drawn up, to be preſented to the General, as their Opinions of the ground and reaſons of a Rendezvous, it was read, and paſſed by all, except four or five; and further, that his Excellency ſhould be deſired to repreſent the condition of the Army to the Parliament; that they would be pleaſed to *reſume* the Condition of things voted on *Tueſday* laſt, and to ſuſpend any preſent Proceeding upon them; as alſo ſome Satisfaction as to Grievances of the Army, together with the things propoſed in the Concluſion of the *Narrative* from the Officers; and that they would be pleaſed to give ſome Reſolution to each of them.

The Soldiers inclined to Rendezvous without their Officers.

That the Soldiers grievances may be conſidered.

A Copy of the Souldiers Petition to the General, was as follows.

The Soldiers Petition to the General, againſt being disbanded apart; and againſt the word Enemies, *reflecting on the Army.*

To his Excellency Sir Thomas Fairfax, *Knight, Captain General of the Forces raiſed by the Authority of Parliament,* The humble Petition of the Soldiers *of the Army, preſented to his Excellency at a Council of War, held at St.* Edmunds-Bury, *on* Saturday, May 29. 1647.

Humbly ſheweth,

THAT we your Petitioners, conſidering the late Order for disbanding the Army, without redreſſing our Grievances, vindicating the Army, or calling to account ſuch Perſons who have been Intenders, Contrivers, and Promoters of our Deſtruction; which, being but reaſonable, we humbly conceive we may juſtly expect, and ſhould not be deny'd judged before our Disbanding. Conſidering alſo the ſtrange, unheard of, and unuſual way of disbanding us apart, one Regiment from another, contrary to the Example of other Armies disbanded in this Kingdom; which Poſture renders us ſuſpicious to the Kingdom, to whom, for ſome of our Complaints, though humble and juſt, we have already been declared *Enemies*; and to whom, for ought we know, the reſt of our doings may be preſented with the ſame Conſtruction. We your Petitioners humbly beſeech your Excellency, you would be pleaſed *to appoint a Rendezvous ſpeedily* for the Army, and alſo to uſe your utmoſt Endeavours that it be not disbanded before our ſad and preſſing Grievances be heard, and fully redreſſed; which if not done before disbanding, we humbly conceive we ſhall be enforced upon many Inconveniencies, which will of neceſſity ariſe, when we, though unwillingly, ſhall be neceſſitated, for avoiding of Deſtruction like to fall on the whole Army, if not prevented, to do ſuch things our ſelves; which if your Excellency, out of your Wiſdom and Prudence ſhall prevent, by granting our juſt Deſire in a way of Order, we ſhall abundantly rejoyce in it, and be with Chearfulneſs enabled by it to ſubſcribe our ſelves,

Your Excellency's and the Kingdom's innocent and faithful Servants, whoſe Names are hereunto annexed, being *Agitators* in behalf of the ſeveral Regiments.

Tueſday,

23 *Caroli.*

Tueſday, June 1. 1647.

LEtters were this day read in both Houſes from his Excellency Sir *Thomas Fairfax*; the Letter, *verbatim*, was thus.

My Lord,

YOUR Lordſhip's Letter of the 28th I received yeſterday, with the Votes of both Houſes incloſed therein; before the receipt thereof, I had called the Officers unto a general Council of War, to adviſe concerning the Tranſaction of the buſineſs, and prevention of Inconveniencies thereupon; and when they were in Conſultation, I communicated your Lordſhip's Letter, and the Votes therein ſent, unto them: After much time ſpent in debate thereof, this incloſed was delivered unto me by the Officers, as the Reſult of the Council of War; which being of ve-great Concernment, I thought it my Duty to haſten unto your Lordſhips. It is no ſmall Grief of Heart unto me, that there ſhould be any Diſſatisfactions betwixt the Parliament and the Army, and that the late Votes did not give Satisfaction. I beſeech God to direct your Lordſhips to proceed with Wiſdom, that things may be determined in Love, and this poor Kingdom free from further Diſtraction; which is the earneſt deſire of

The General's Letter to the Houſe of Lords, that he communicated the Votes of Parliament to the Army, May 30.

But it gave not ſatisfaction.

Your Lordſhips moſt humble Servant,

Bury, May 30. 1647.

Thomas Fairfax.

For the Right Honourable the Earl of *Manchester*, Speaker of the Houſe of Peers, *pro tempore*.

His Excellency writ another Letter to the Speaker of the Houſe of Commons, *viz.*

Mr. Speaker,

HAving called the Officers of the Army to St. *Edmunds-Bury*, I communicated unto them Yeſterday the Votes of both Houſes, and a Letter of the Houſe of Peers ſent therewith, concerning the disbanding of the Army; after long Conſultation had thereof, this incloſed was delivered unto me, as the Reſult of the Council of War, where the Officers were very many and unanimous: Which being of Importance, I held it my Duty to haſten the ſame unto you, being much perplexed in my Thoughts, that Diſſatisfaction betwixt the Parliament and the Army ſhould rather increaſe than leſſen. I intreat you, that there may be ways in Love and Compoſure thought upon; I ſhall do my Endeavours, though *I am forc'd to yield to ſomething out of Order, to keep the Army from Diſorder*, or worſe Inconveniencies. I deſire you to take ſome ſpeedy Reſolution for the compoſing of things, whereby the Kingdom may be happy in a timely Deliverance from further Diſtraction; for the effecting whereof, I cou'd be content to be a Sacrifice, as the laſt Service you can have from

The General's Letter to the Houſe of Commons, concerning the Army, as to disbanding.

Your moſt Faithful and humble Servant,

Bury, May 30. 1647.

Thomas Fairfax.

For the Honourable William Lenthall, *Eſquire, Speaker of the Honourable Houſe of Commons.*

A Letter likewiſe was read from the Commiſſioners of Parliament, giving account of what they had done in Proſecution of the Command of both Houſes of Parliament.

A Letter from the Commiſſioners of Parliament in the Army.

The Houſe of Commons, upon Debate hereof, Ordered, That the 7000 *l.* ſent to *Chelmsford* for disbanding the General's Regiment, be recalled.

Votes to recall the Mony ſent to disband the Army.

That 3500 *l.* ſent to *Woodſtock* to pay Col. *Ingoldsby*'s Regiment at *Oxford*, be recalled.

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That the Commiſſioners of both Houſes ſent to the Army be forthwith recalled.

That Field Marſhal *Skippon* do attend the Houſe forthwith.

And the Commons ſent a Meſſage to the Lords for their Concurrence in theſe Votes, to which their Lordſhips agreed.

A great Debate was likewiſe further this day concerning the Army, but nothing determined on.

Duke of Buckingham.

The Lords ſent a Meſſage to the Commons, to acquaint them with the buſineſs concerning the Duke of *Buckingham*, and their proceeding for the taking off his Sequeſtration, with Reaſons for the ſame, deſiring the Concurrence of the Houſe of Commons.

Kilkitoth *Retreateth.*

Letters from *Scotland* this day, give to underſtand that General *David Leſley*, having notice that *Kilkitoth* was retreated out of *Argyle* into *Canair*, and *Antrim* into the Iſles, he drew his men to *Invermage* Caſtle, the Forces Quartering between *Sterling* and *Dunkel*. *Antrim* hath forced divers Fiſhermen to wait upon him. Some *Iriſh* Rebels are expected to come to him, or elſe he will over thither to them.

Col. Rainsborough's *Soldiers ſtop Money, going to Diſband.*

A Letter this day from Colonel *Rainsborough* from *Cullum*, of the Quartering of his Regiment, and the demeanour of ſome of them. We underſtood likewiſe that the 3500 *l.* ſent to Colonel *Ingoldsby*'s men, and by Order of the Houſe ſent for back, was *ſtopped* by Colonel *Rainsborough*'s men at *Woodſtock*.

A Petition laid aſide, ſubſcribed by 10000 *Hands.*

A Petition was this day preſented to the Houſe by many Citizens of *London*, who had *a former Petition* the laſt week before it, was ſigned with near 10000 Hands, and read; and after much Debate the Houſe Ordered that it ſhould be laid aſide.

That a Book of a Liſt of Names who have received Pardons be brought to the Houſe.

The Committee of *Haberdaſhers-Hall* was this day Ordered to bring the Book to the Houſe remaining in their Cuſtody, wherein the Names are of ſuch Perſons as have received their Pardons from his Majeſty.

A Months Pay to the Souldiers drawn from the Army for Ireland.

The Houſe then had ſome further Debate concerning the *Army*, and Ordered, that the Forces drawn from the Army and intended for *Ireland*, ſhould have a Months Pay given them, and their Quarters to be diſcharged, and that a Muſter-Maſter be ſent to them to ſee true Muſters made.

Petition of Widdows, 3000 *l. Ordered them.*

A Petition was read of many Widdows, *&c.* whoſe Accompts are with the Committee of the Military Garden, and Ordered that 3000 *l.* part of the 10000 *l.* charged upon *Goldſmiths-Hall* for poor indigent Perſons, be paid to the Committee of the Military Garden, to be diſpoſed by them to the Petitioners.

Members to take the Covenant.

The Order for Members of the Houſe to take the Covenant, this day was Ordered to be reſpited till this day ſeven-night.

M. G. Skippon *came this day to* London.

This day Major General *Skippon* came to *London*, according to the Order of Parliament, and the reſt of the Commiſſioners ſent to the Army; the Mony likewiſe is ſafely returned from *Chelmsford*.

CHAP. XV.

Proceedings in Parliament from June 3. *to* July 5. 1647.

SEveral Orders of the Commons aſſembled in Paliament, *(viz.)* *June* 3. 1647.

1. For receiving Complaints againſt ſuch Members, their Clerks or Servants, as have received any Bribes. 2. That

23 *Carol.*

2. That the Members abſent forthwith attend the Service of the Houſe.

3. That no Perſon that hath been actually againſt the Parliament, or Acted by the Commiſſion of Array, ſhall preſume to ſit in the Houſe.

Ordered (upon the queſtion) by the Commons aſſembled in Parliament, That the Committee formerly appointed for receiving the Complaints againſt ſuch Members as ſhall be complained of, to receive any Bribes or Rewards for any buſineſs done in Parliament, be revived; and that they do ſit to morrow at two *Poſt Meridiem* in the Star-Chamber, and ſo *De Die in Diem.*

And further, they are to conſider and receive Complaints of all Fees, Monies, or Rewards, taken by any Servant of any Members, or by any Clerks, or Officers, or other Perſons attending upon, or employed by any of the Comittees.

They have further Power to conſider of, and enquire into any matter of Bribery, Corruption, Allowance, or Reward, committed or taken into any buſineſs, that hath relation to the Affairs done or agitated in Parliament, or by any of their Committee. Mr. *Bulkley*, Mr. *Reynolds*, Sir *John Evelyn* of *Wiltſhire*, Mr. *Dove*, Sir *Tho. Dacres*, and Colonel *Strode*, be added to this Committee, and the care of this buſineſs is more particularly referred unto Mr. *Bulkley*.

Thurſday, June 3. 1647.

THIS day the Houſe proceeded further upon the buſineſs of the Army, and paſſed ſeveral Votes, That an Ordinance be brought in for authorizing the Aſſignments of any Officers Debenters, and for making of it a good Debt to the aſſigned; and that ſuch Officers as are attending the Committee of Accompts, be protected from Arreſts from Debt, during the time of their attendance on the ſaid Committee, provided it doth not exceed two Months.

That ſuch Officers as are in Priſon, ſhall have their Accompts firſt audited, and their Arrears firſt paid them.

That ſuch Officers as cannot attend the perfecting of their Accompts, ſhall leave their Accompts with the Committee; the Houſe declaring that they will do with them in their abſence, as they do to others in that Caſe.

That the Committee of Accompts do perfect and expedite the Accompts of the Officers of the Kingdom, and that they return them to the Houſe ſo ſoon as they are perfected.

The Deſires of the Army was this day proceeded in, and Ordered, that the Common Souldiers of the Army ſhall have all their Arrears, deducting for free Quarter, according to the ordinary Rules of the Army.

That the Subordinate Officers, not in the Commiſſion, ſhall have the like.

That the Commiſſion Officers of the Army ſhall have one Months Pay more added to the two Months Pay formerly voted.

That a Letter be written to his Excellency, to give him an account of what the Houſe had done upon the deſire of the Army, deſiring his Excellency to continue his care in keeping the Army in good Order and Diſcipline, and from all Diſturbance.

An Ordinance paſt for the ſum of 10000*l.* for the ſatisfying the preſent neceſſities of the Officers and Souldiers whoſe Accompts

are

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are Stated, and whoſe Accounts are in Stating, to be advanced upon the Credit of the Moity of the Commiſſioners at *Goldſmiths-Hall*, and paid to the Committee, where Colonel *Birch*, and Mr. *Goodwyn* have the Chairs, to be by them Diſtributed, in ſuch Proportions as thoſe two Committees, who are joyned as to this buſineſs, ſhall think fit.

That the Declaration dated —— Declaring againſt the Army, be raiſed out of the Journal of the Houſe, and accordingly it was done; and further Ordered, That the Lords be deſired to race it out of their Journal alſo.

This day we had further by Letters from the Army, to this purpoſe.

On *Tueſday June* 1. The General received two Letters from the Committee at *Derby-Houſe*, the one to be at *Chelmsford* as that day, and renewed their Deſires to have the Life-Guard there, which was done 60 Miles off; and withal that the Parliament did expect the obedience to Disbanding, as alſo to their Orders for ſending the Train immediately to *London*; in anſwer to all which, the General deſired to be excuſed, giving them to underſtand, That he had written to the Parliament, and expected their Pleaſure upon the reſult of War. From *Chelmsford* we underſtood, on *Tueſday*, That the General's Regiment of their own accord, were come away with their Colours and Drums nearer the Army. Captain *Highfeild*'s men took away their Colours againſt the Captain's conſent. The Lieutenant Colonel and Major meeting them with Orders, adviſed them to receive the General's Orders (which they had indeed with them) and bid them march like Souldiers, but they were ſo earneſt upon the buſineſs (you ſee then the Officers do not altogether lead them) that they bid them both *to go to Chelmsford, there was Mony enough to* Disband *them.* The *Lieutenant* Colonel and Major *went to Chelmsford* to the Commiſſioners.

Friday, June 4. 1647.

A Second Ordinance was this day in the Houſe of Commons, to give ſatisfaction to the Army in point of Indempnity, being more copious than the former, which was read, and referred to a Committee choſen for that purpoſe. They were likewiſe to prepare an Ordinance of Oblivion, and report it to morrow Morning to the Houſe.

The Commiſſioners of the Great Seal was Ordered to be continued till forty days after the Term.

The Ordinance for hearing the Cauſes in Chancery, was Ordered to be continued that time.

A Letter this day came from the Parliaments Commiſſioners at *Holmby*, with an encloſed Note delivered in by Cornet *Joyce*. Captain *Titus*, that brought this Letter, being at the door, was called in, and declared the manner of the Carriage of the Party of Horſe that came to *Holmby* to remove the King.

Captain *Titus* was Ordered 50 *l.* to buy him a Horſe.

A Meſſage this day came from the Lords, deſiring the Commons concurrence to an Order for recalling the King's Children to the City of *London*, and likewiſe a Letter to be ſent to his Excellency.

The Houſe agreed to the Order for recalling the King's Children,

dren, and the King's Children are accordingly come to *London*, and to the Letter they would ſend Anſwer by their own Meſſengers. 23 *Caroli.*

Two Members of the Houſe, being diſcontented, withdrew; which the Houſe taking notice of, ſent the Serjeant at Arms for them, and they coming into the Houſe were enjoyned to keep the Peace.

Saturday, June 5. 1647.

THIS day more Letters came from the Commiſſioners with his Majeſty, of the taking away of his Majeſty, and the Commiſſioners from *Holmby* by a Party of the Army; which was thus. On *Friday* night laſt, a Party of Horſe, ſent from the Committee of Troopers in the Army, came to *Holmby*; where, after they had ſecured the Guards, they demanded his Majeſty. The Commiſſioners being much amazed at it, demanded of them what Warrant they had for what they did? But no further account they were to give at preſent they ſaid, but thus; That it was the Senſe of the Army. When they came to his Majeſty, ſome Diſcourſes paſt, and his Majeſty demanded ſeveral Queſtions of them, as Security for his Perſon and Attendants, *&c.* which they promiſed ſhould be done; and about two or three a Clock on *Friday* in the Afternoon his Majeſty went from *Holmby*, and the Commiſſioners along with him, with this Party towards the Army; but before they went, his Majeſty delivered a Meſſage to the Earl of *Dumferling*, to bring to the Houſe, whereof more hereafter.

Friday night his Majeſty lay at *Huntington*, and we hear not that he is gone further yet.

Mr. *Walford* that brought the Commiſſioners Letter, was called into the Houſe of Commons, and declared the manner of the buſineſs, and had a 100 *l.* given him for this and his other Services.

Sir *Robert Pye* this day had the thanks of the Houſe for bringing off his Troop, and his Officers thanks likewiſe, 200 *l.* was Ordered to be paid them for their preſent neceſſity, and referred to the Committee of *Ireland* to aſſign them Quarters. The like Monies and Quarters Ordered for Colonel *Graves*'s Regiment.

The Houſe then alſo Ordered 1000 *l.* for the twenty Officers, and 80 Common Souldiers that are come from the Army; and the Committee for *Ireland* to aſſign them Quarters.

The additional Ordinance for further Indempnity of the Souldiery, was this day again reported and aſſented unto.

Likewiſe a Declaration paſt the Commons, for calling in the Declaration of both Houſes about the Army, and was ſent up to the Lords for their concurrence.

The Treaſurers at Chriſt's Church were Ordered to pay the 10000 *l.* charged on *Goldſmiths-Hall*, for the payment of Souldiers late in the Service, to be iſſued out by Order of the Committee, where Mr. *Goodwyn* hath the Chair; the Lords agreed to the Votes concerning the Army.

The Commons upon further Debate Ordered, That all the Members of the Houſe ſhould attend the Houſe forthwith, notwithſtanding they had leave from the Houſe to go into the Country, and this Order to be ſpeedily ſent to all the Members that are abſent.

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A Conference was this day desired by the *Scotch* Commissioners, and a Committee of both Houses, upon the great Affairs of both Kingdoms; and a Conference was had accordingly.

The Lord *Dumferling* at this Conference acquainted them with the Message he had from his Majesty to both Houses, which was but short, and to this purpose.

1. That his Majesty was unwillingly taken away by part of the Army.

2. That he desired both Houses to maintain the Laws of the Land.

3. And that tho' his Majesty might sign many things in this Condition, yet he would not have them to be believed, until he had given further notice to the House.

The House, upon occasion of this, and other immergent business, ordered to sit to morrow (though the Lord's Day) at four of the Clock, and that Mr. *Marshal* should be desired to pray before them.

The Militia of the City of *London* sate this day very close, upon the Military Affairs of the City.

From the Army this Evening we had further Intelligence by Letters, to this purpose.

Friday, June 4. The Rendezvous of the Army was held near *Kenford*, six Miles from *Bury*; seven Regiments of Foot and six of Horse appeared; Colonel *Whaley*'s being before dispersed towards *Holmby*, (by the General's Command) upon this day's Intelligence, that our Party of Horse had secured his Majesty; the General gave notice of this to the Commissioners, and hath signified the same to both Houses, desiring to know their further Pleasure: He hath likewise sent them the Grounds, enclosed in the Letter, from the Soldiers to himself, for their undertaking the same of themselves, which were chiefly, That they had intimation of a Design, which they were able to make good, (of some) to surprise him. Colonel *Graves* is discharged from that Employment, and Colonel *Whaley* in his place. At the Rendezvous a Petition was presented to the General, in the Name of the Soldiers of the Army; the substance was, That they could not be satisfied with their Arrears, or other Returns, unless they had assurance that their Enemies should not be their Judges (for the future;) and that 'tis believed they will insist upon. The General went to every Regiment, and expresst himself with much Judgment and Moderation, assured the Soldiers, That the Parliament took notice of their civil and fair Carriage, and had taken a course for satisfying their Arrears, and doubted not but they would answer their other Grievances; advised them to Moderation, and to behave themselves with Discretion, and not to fall into any Distempers or mutinous Expressions against the Parliament. It is not to be expresst with how much Joy, and how many Acclamations his Excellency was entertained by the Army, each Regiment shouting as he passed by them; the General staid 'till night in the Field, viewed and took order for Ground to be allotted to each Regiment (Horse and Foot) to quarter in that Night; and himself came to a small Town of *Kenford*, and went not to bed, but only lay down to take some rest.

Kenford, near *Bury*, *June* 5. at 3 in the Morning.

An

23 Caroli.

An humble Repreſentation of the Diſſatisfactions of the Army, in relation to the late Reſolutions for ſo ſudden Disbanding; ſhewing the Particulars of their former Grievances, wherein they did remain unſatisfied, and the Reaſons thereof.

Unanimouſly agreed upon, and ſubſcribed by the Officers and Soldiers of the ſeveral Regiments at the Rendezvous *near* New-market, *on* Friday *and* Saturday, June 4. *and* 5. *Preſented to the General, to be by him humbly repreſented to the Parliament,* viz.

WHereas upon the Report made to the Houſe of Commons on *Friday*, *May* 21. concerning the Grievances of the Army, that Houſe was pleaſed to paſs ſeveral Votes, ſeeming to tend towards the Satisfaction of the Army in ſome Particulars; and on the *Tueſday* following (*May* 25.) to paſs divers Reſolutions upon a Report from the Committee at *Derby*-Houſe, concerning the disbanding of the Foot of this Army, each Regiment apart, at ſeveral times and places. We humbly declare, That the ſaid Votes of *Friday* do come far ſhort of Satisfaction, (as to the ſaid Grievances) or to the Deſires propoſed by the Officers in the Concluſion of their Narrative. And that the latter Votes of *Tueſday*, importing a Reſolution of disbanding the Army in part, before equal Satisfaction be given to the whole in the Grievances, or ſo much as any Conſideration had of ſome others, as are moſt material; and alſo before any effectual Performances of that Satisfaction, which the Votes of *Friday* ſeemed to promiſe as to ſome of the Grievances; we cannot but be much unſatisfied and troubled at it, as in the Particulars following we have cauſe.

Firſt, The Proportion of but *eight weeks Arrears* to be paid at disbanding, as it is unreaſonably ſhort of what is moſt due, and what we conceive may be paid, or might eaſily have been provided, ſince the Parliament had the Kingdom ſo long cleared, all Trading and Commerce opened, vaſt Sums of Money brought in upon Delinquents Compoſitions and otherwiſe, and great Foundations of Security in their Hands, (beſides thoſe formerly engaged for the *Scotts.*) And as it is but a *mean Reward* for all our Labours, Hardſhips and Hazards in the Kingdom's Cauſe, and a very *ſlender Supply* to carry us to our homes, in a Condition ſuitable to the Parliament's Honour and our Succeſs; and much leſs to enable thoſe that have left good Trades, or other ways of livelihood, and ſuffered much in their Trades or Stocks by ſo doing, to ſet up again in their former Callings and Conditions; ſo it is but little (if any thing) more than what hath been due to us, ſince that time that we firſt went about to have petitioned for our Arrears, and ſo not to be accounted in Satisfaction towards former Arrears, which the Petition was meant for.

Secondly, In the Orders given for the ſtating of our Accompts, giving Debentures for our Arrears by the Committee of the Army, we find no Conſideration or Regard had of our Arrears incurred in the former Army or Services; which to the moſt of us are much greater than thoſe under the new Model, intended to be ſtated by the Committee for the Army; (as the Narrative of the Officers, Printed by miſtake under the name of their Declaration) did intimate before.

Thirdly, We cannot but conſider, that (whatever the Officers expectances upon Debentures may prove) the private Soldier may well make little account of whatever part of his Arrears he receives not before disbanding, as the Reaſons expreſt in the Narrative do ſhew. And whereas we hear of ſome Inſtructions paſt in an Ordinance for ſtating of Arrears, we underſtand that they direct 3 *s.* a week to be abated to Foot Soldiers for Quarter; which being 6 *d.* or 8 *d. per diem* above the rate they ſhould have paid for themſelves, if they had timely had Pay wherewithal, it ſeems very hard the poor Soldier ſhould allow *Intereſt* for the forbearance of his own Due.

The like diſproportion we find in the Abatements to Serjeants of Foot, for their Quarters. In the Abatement for Quarters to Officers of Horſe and Dragoons, we find one third part of the whole Pay to them due, both for themſelves and their Horſes, is to be defalkated, though the full Pay for

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We find alſo no Proviſion made for private Soldiers of Horſe and Foot, or any Officers in Commiſſion or not in Commiſſion, in relation to any Quarters diſcharged by them; but all ſuch are abſolutely to abate the reſpective Rates for Quarters during their whole time, whether they have paid Quarters for any part of their time or no. Whereas we know aſſuredly, and can make appear, That all of them, during their Service in this Army, (and moſt of them in their Service in the former Armies) have really diſcharged their Quarters, for a very great part of the Pay received they were bound to have done; having, without reſpect to that, many times paid freely as far as their Money would hold out, partly out of deſire not to be burthenſome at all to the Country as far as they could, and partly upon expectation (grounded upon the many Promiſes, and often renewed, of conſtant Pay for the time to come) that Money would come in time to pay them off, and reimburſe them their full Pay again, without Defalcation for Quarters. We find it alſo provided, That no Trooper is capable of Allowance or Debenture for Arrears, unleſs he deliver in ſuch Horſe and Arms with which he hath ſerved, or a Certificate that ſuch Horſe and Arms did not appertain to the State, or elſe was loſt in actual Service; which extends to the total taking away from them thoſe Horſe and Arms of the States which they have uſed and preſerved in the Service, contrary to the Favour allowed, and never (that we know of) denied in the diſbanding of any other Army: And if that, being but a matter of Favour, the Horſe-men in this Service be thought unworthy of it, and muſt for account of their Arrears rebate for ſuch Horſe and Arms as upon diſbanding they thought to have been given them; yet it ſeems hard, that ſuch as cannot deliver in thoſe States Horſes and Arms, which at diſbanding they ſo underſtood to be their own, and ſo perhaps have ſold or otherwiſe diſpoſed of, ſhould for that loſe their whole Arrears, or be incapable of Account or Debenture for any part thereof.

Fourthly, The viſible Security for what Arrears ſhould not be paid at diſbanding, (which the Votes of *Friday*, *May* 21. ſeem to promiſe) as it ſtands propounded in the Votes of *Tueſday*, *May* 25. appears not to be either a Security ſufficient, or to us viſible.

1. Becauſe that Security of the Exciſe in courſe, propoſed for the Arrears of private Soldiers and inferior Officers, is known to be already pre-ingaged for vaſt Sums, amounting to above a *Million*, that are to take place before thoſe Arrears; nor do we know certainly, that the Exciſe (which is yet but temporary) will be continued for ſo long time, as till our Arrears ſhall come out in courſe after the preceding Engagements ſatisfied.

2. Becauſe that Security propoſed for Officers Arrears, *viz.* the Profits ariſing out of Delinquents Eſtates, in the firſt Exception (eſpecially) being limited to ſuch as are not already diſpoſed of, it doth not appear what they will amount unto, or what the Pre-ingagements or Pre-diſpoſures by the Parliament may be, or what incumbrances of Debts, or limitations of Eſtates (as they were in the hands of the Owners) may be upon the ſame; none of which we would be any occaſion to defeat or avoid, ſo as to have the Curſes and Grudges of defrauded Creditors or ruined Families to lye upon us or our Poſterities.

3. Neither the one Security nor the other, are yet, for ought we find, or could well before the appointed times of diſbanding, be ſo ſettled by Ordinance to the uſes propoſed (as the other Securities for Monies borrowed by the Parliament have been) which we conceive requiſite to render the ſame indeed viſible Security.

The two firſt of theſe Reaſons we ſhould not urge ſo much, if we did not ſee other matters of Security within the Kingdom, that would be much more clear, (as Cathedrals and their Revenues, Forreſt Lands, *&c.*)

Fifthly, The Ordinance voted to exempt from Preſſing, (firſt) is not, for ought we underſtand, brought in and paſſed before the appointed Diſbanding. Next, by the Vote it ſeems not to intend the exempting of Voluntier Horſe-men from being preſt for Foot Service. And laſtly, We underſtand

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ſtand not how it can be effectual to particular Soldiers, (when diſperſt about the Kingdom, and ſojourning or travelling, where perhaps their former relation to this Army, or Condition as Voluntiers in it may not be known, or not credited upon their Words) unleſs the Ordinance intended ſhall provide, That a Teſtimonial of their Service, under the General's, or their reſpective Field Officers or Captains Hands (which they might ever carry about or keep by them) ſhall be their ſufficient Diſcharge from any Preſs, (if they ſhall fall under it.) And whereas ſuch Teſtimonials cannot eaſily be got by them after disbanding, the ſaid Votes for ſo ſudden disbanding, and at ſuch Diſtances, do not mention or admit any thing of that kind more than Paſſes from the Commiſſioners to carry them home.

Sixthly, The Ordinance voted to give Apprentices the benefit of their Time ſpent in the Parliament's Service, as alſo that for the Maintenance of maimed Soldiers, and the Widdows and Children of Men ſlain in the Service, were not brought in and paſſed before the appointed Disbandings, nor do we yet hear that they are, though we hope they will be.

Seventhly, The Ordinance paſſed for Indempnity, ſeems to make but ſlender Proviſion for our Quiet, Eaſe, or Safety, in relation to things done in the War as Soldiers.

1. Becauſe the things it provides for throughout the Ordinance, comprized only in theſe Terms, (*viz.*) *Things done by virtue of any Ordinance of Parliament, or for the Service and Benefit of the Parliament*; We conceive, that upon every Treſpaſs, or other thing done in the War (which we may be queſtioned for) it will be very chargeable and difficult either to derive a clear Authority for the ſame from the Ordinance of Parliament, or to bring Proofs ſufficient to make up ſuch a conſtructive Concluſion, as that it was for the Service and Benefit of the Parliament; eſpecially to do this ſo fully, as to meet with all the Evaſions and Eluſions of a ſubtle Lawyer, or to convince the Senſes of a Country Jury, whom we know not by what Rules or Meaſure they may go, in judging what was for the Service and Benefit of the Parliament, or what not; perhaps ſome of them may be of that mind, That it had been for the Service and Benefit of the Parliament to have had no War at all, or to have had fewer or no ſuch Garriſons or Forces as ſome of us have been engaged in. In ſum, We cannot think it ſafe to be left to the Senſe or Conſtruction of a Country Jury, concerning the Exigencies of War, or Duty of a Soldier, upon ſo doubtful an Iſſue: We ſhould rather think, that the old Iſſue, which (as we underſtand) ancient Laws have provided for in ſuch caſes, (*viz.* whether the thing were done *Tempore in Loco Belli*) was much more clear and ſure; and an Act or Ordinance of Oblivion for all Treſpaſſes or other things ſo done by Soldiers in this War, would be moſt ſafe and ſatisfactory.

2. That the Proviſion in the ſaid Ordinance now paſt for relief, by complaint to a Committee of Parliament at *London*, (which ſeems to be meant for ſaving of Charges to Poor men) we doubt will prove a very remote help, and far more chargeable for a poor Soldier Impriſoned or Arreſted in the Country, than the former. And though we highly honour that Committee named in the Ordinance, (for the Major part of it) yet we confeſs we ſhall be ſorry that our relief (if it may otherwiſe be provided for) ſhould be the occaſion of ſetting up more Arbitrary Courts than there are already, with ſo large a Power of impriſoning any Free-men of *England*, as the Ordinance gives to that Committee; Let the Perſons intruſted appear at preſent never ſo juſt and faithful, or though all the Committee were as good Patriots, as we hold the Major part to be.

3. In the matter of Accompts we are wholly left (as before) to the mercy of the Committee for Accompts, and their Sub-Committees, whoſe Conſtitution (in moſt Counties) being at leaſt of Neuters, diſaffected to the War, and conſequently to the Soldiery, and whoſe vaſt and Arbitrary Power to vex, delay, Fine and Impriſon at their own pleaſure or Judgment, any that they can bring within the compaſs of Accomptants, and to proceed upon their own Judgment of the default, to ſequeſter, ſell, and diſpoſe of his Eſtate, as upon a Commiſſion of Bankrupt (we confeſs) we tremble to think of, more than of any Enemie. And though we are as zealous as any to have all men brought to any accompt, for what may clearly be accounted for; (as Treaſurers, Keepers of Stores, Sequeſtrators, or ſuch like Accomptants)

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yet we cannot but think it hard for us, or others the Parliaments Soldiers, to be required to ſo ſtrict Accompts for all things received, taken, and uſed in the War, by our ſelves or any under our Command, (tho' but temporarily upon a part) for many of which things, neither we nor any other that minded the publick Service, and have been engaged in hazardous Services, where many have loſt thoſe Accounts they did keep, can give or could keep ſo ſtrict Account, or for want of ſuch Account, to be ſo cruelly vexed and proſecuted, even to utter undoing, as any Man that's Accountable for any thing may be, and divers of the Parliaments moſt faithful and active Servants in our condition have been before our Eyes. And though we would not wiſh that any Soldiers or Officers, who have by plunder or other injury to the Countrey, abuſed the Name of the Parliaments Service, and converted any thing they have taken or received to their own private Benefit or Advantage, (more than for neceſſary ſubſiſtence or ſupplies) ſhould go away with it, in being exempted from Accompt. Yet we cannot but think it reaſonable and neceſſary, That for thoſe many others that have not done ſo, but have employed all faithfully for the publick Service, ſuch Proviſion ſhould be made, as what Arms, Ammunition, Horſes, Furniture, or other things received or taken by them, they could not keep or cannot give a clear and diſtinct Account for, it ſhould be ſufficient for their diſcharge, if they make Oath, That they have not imbezzeled or wittingly converted to their private Benefit any part thereof; more than what things or to what value they do or ſhall (for ſaving of their Oath) charge upon themſelves in their Accompts.

We find another thing mainly neceſſary for our and other mens Indemnity, (for which there is no Proviſion at all made in this Ordinance) *viz.* That all Acts of Councils, or Courts of War, either in Cenſure or Diſcharge of any Perſons, for any Cauſe ſubject to their Judgment, and the Warrants of the General, or Chief Commander, for Execution or Remiſſion of ſuch Cenſures, may be valid and good, both as to the Juſtification of thoſe that have been employed in Execution of ſuch Cenſures, and alſo the full and final acquittal of the Perſons ſo diſcharged or remitted.

Eighthly, Though thoſe Officers of the Army at ſeveral times ſent for, or ſent up to attend the Parliament as Delinquents, have been indeed diſcharged, (for which we render our thanks, and acknowledge the Parliaments Juſtice in the diſcharge) yet for men of ſuch Credit and Integrity, to have their Names brought ſo highly into publick queſtion or ſuſpicion, and the Cauſe not known (which might make it imagined greater) to be kept long in attendance under that notion, and not obtain by their daily ſolicitations to know their accuſers, or any charge, and (for one of them) to be made a Priſoner, ſearched and ſent up ſo far in a diſgraceful manner, without Authority (againſt the right both of a Soldier and Subject) and at laſt to be only diſmiſt, (without any word of Vindication or Clearing) ſeems but a ſlender Reparation.

Ninthly, There hath yet been nothing declared by the Parliament (as in the Narration or Declaration of the Officers was deſired) to clear us as to our right of Petitioning, or to clear the ſenſe and intention of the Parliament in their Order for ſuppreſſing the Petition, or the ground of their Cenſure in the Declaration againſt it: Though we think no Man can deny the Matter of the Petition to be juſt, and the Parliament's Proceedings ſince upon the Heads of it does imply as much. And if our Liberty of Petitioning for our Due be denyed us now, and the attempting of it render'd ſuch a Crime, (as by the ſaid Order and Declaration appears to be, while the Ground or Intentions of them ſtands not explained otherwiſe) we cannot but expect the ſame or worſe hereafter, not only to our ſelves (when being diſbanded and diſperſed, we ſhall have the like occaſion to petition as private and ſingle Men) but alſo to all the free-born People of the Land in the like caſe. And ſo this Precedent (if it ſtand good) would extend, in the conſequence of it, to render all Soldiers under this Parliament the worſt of Slaves, and all Subjects little better. And though there have been of late, in other Caſes, too much dangerous Precedents of ſuppreſſing Petitions, and puniſhing or cenſuring the Petitioners, yet (we think) few or none ſo full and clear againſt all juſt Liberties as this in our Caſe, whoſe Petition was not, as many (that yet have been received with large Thanks) without any foundation in real Grievances or Dues, tending and ſerving merely to declare

clare the Petitioners Opinions and Inclinations, in relation to matters of State, (then in tranſaction, or intended to be put on in the Parliament;) nor yet ſubject to any of thoſe Exceptions, which at other Petitions (ſeeming better grounded, more neceſſary or concerning than the former, and yet rejected) might be. But ours, not medling with matters of State, with Proceedings of Parliament, or any Bodies Concernments but our own, tended but to obtain our particular Dues, (often promiſed, dearly and fully earned, long forborn,) and ſome of which (*viz.* the matter of Indempnity) we could not (without danger of utter Ruin) want after disbanding; and theſe but deſired in an humble and ſubmiſſive way, without any *Language* ſcandalous or offenſive, or any other particular Exception (for Matter or Form) that we have ever yet been told of, or could any way learn; ſo as though we are willing to believe the Parliament was miſ-informed, abuſed, or ſurpriſed in the buſineſſes, (as the Narrative doth expreſs;) yet we cannot hitherto underſtand from whence ſuch Proceedings againſt ſuch a Petition, or againſt us for it, could ariſe; except (in thoſe that moved the Parliament thereunto) from ſome Principles of Malignants Envy or Diſlike againſt us the Petitioners, for the things God hath done by us, carrying them (above all other Conſiderations of juſt or unjuſt, dangerous or ſafe) to this end as the greateſt good, that this Army muſt not paſs with that Reputation God hath given it; but muſt (upon any occaſion that could be catched hold on) have a Diſhonour put upon it, and by Diſcontents and Provocations be put into Diſtemper, ſo as to do ſomething that might render it odious, or bring a Blemiſh upon it. 23 *Caroli.*

Tenthly, The Declaration yet ſtanding in force, and nothing Publiſhed by the Parliament to clear the Army from the Cenſure it thereby lies under, there remains *a brand of Ignominy upon this Army* to Poſterity. And thoſe Soldiers who have proceeded to act any thing in purſuance of their juſt Deſires in that Petition, or in repreſentation of their juſt Grievances thereupon; as alſo thoſe Officers that have any way concurred with, or countenanced, or not deſerted them therein, remain ſubject to queſtion, and to the higheſt Cenſure that may be, for ſo doing.

Eleventhly, Were all other our Grievances duly conſidered, yet nothing be done to the diſcovery or cenſure of thoſe that have wronged the Army, and abuſed the Parliament, to the procuring of ſuch Proceedings againſt us, in relation to ſo juſt and innocent Petition, but that the ſame Perſons remain ſtill in the ſame Credit and Power; we appeal to all reaſonable Men, what hopes, either of Right or Safety, we, (when disbanded and diſperſed) or any private Man, can hereafter promiſe to himſelf in the like Caſe? Let every honeſt *Engliſh* Man lay his Hand on his Heart, weigh our Caſe, and make it his own, (as in conſequence it is) and then judge for us and himſelf.

1. We may confidently ſay, never any private Man had or can have any thing more clearly due to him, than what we went about to petition for, nor could ſeek it in a more regular, humble, or inoffenſive way, (as hath been ſhewed before.) Now for a private Man, petitioning for his Right in ſuch a way, to be denyed, or fail of his Right (in Courts where Corruption ſways) is perhaps not rare; yet for ſuch a Man to be debarred or interdicted beforehand from ſuing for his acknowledged Right, (we think) is not uſual in Courts ſufficiently corrupt. But not only to be denied his Right, and the liberty to petition it, but withal by a Cenſure (no leſs than Capital) to be expoſed to a Forfeiture of Eſtate, Liberty, Life and all, for but going ſo to ask what he conceives, and the Court it ſelf will not deny to be his Due, and this without ever asking or hearing what he can ſay in his Excuſe, would carry ſo high a face of Injuſtice, Oppreſſion, and Tyranny, as we think is not eaſie to be exampled in the Proceedings of the moſt corrupt and arbitrary Courts, towards the meaneſt ſingle Man. Now if we have found Men of thoſe *deſperate Principles* and Confidence, to attempt, and in that Credit and Power to carry on ſuch Proceedings againſt an Army, (ſtanding then in full Strength, in Reputation, and ſome little Merit alſo) and to engage the Authority of Parliament therein, whoſe preſent Power hath, under God, been upheld and newly eſtabliſhed through that Army; What can we or any honeſt Man expect hereafter as private Perſons, if the ſame Men ſhall continue to be our Judges, or in the ſame Credit and Power, when we are disbanded, (as

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(as now) we ſay what good can be expected, or what ill may not be expected in any future Caſe, that ſhall croſs the Pride, Paſſions, or Intereſts of ſuch men, of whoſe unjuſt Principles and deſperately Tyrannical Spirits, we have in this Caſe had the moſt perfect taſte that can be imagined, we have both here and before plainly remonſtrated our Caſe in this particular, as it ſtands, appearing to thoſe that underſtand not upon what grounds, and in what manner ſuch things were carryed in the Parliament in relation to the Petition: We are ſtill willing to believe the Parliament hath been ſome way ſtrangely miſinformed, ſurprized, or otherwiſe abuſed in the buſineſs (as was expreſſed before in that Narrative) We are ſtill tender of the Parliament Priviledges, but we ſhall yet hope and deſire, That the wiſdom of the Parliament would find how to diſengage the Honour of the Parliament, from the deſperate practices of ſuch Incendiaries, and cauſe them to be diſcovered and cenſured, ſo far as may ſecure the Parliament from being again ſo abuſed, and both us and the Kingdom from the like or worſe Oppreſſions or Dangers by them (which is the utmoſt ill we wiſh them) And if herein our belief or hopes from or concerning the Parliament do fail us, we ſhall be ſorry; but yet the Caſe and Conſequence is ſtill as it is, or the more ſad to us and the Kingdom. And having in this particular expreſſed both the Caſe and Conſequence very plainly, we leave it at the Parliaments door, until they ſhall be pleaſed to fix the blame on thoſe particular Perſons, that have abuſed them herein as before.

Twelfthly and *laſtly*, We find nothing as yet done, or thought of for Reparation or Vindication of the Army, in reference to the many ſcandals caſt upon it, or to Puniſh or Diſcountenance the Authors and Publiſhers, though divers of them be ſufficiently known.

Joyce ſeiſed his Majeſty the next day after.

A Solemn Engagement of the Army under the Command of his Excellency Sir Thomas Fairfax, *read, aſſented unto, and Subſcribed by all Officers and Souldiers of the ſeveral Regiments, at the general Rendezvous near* New-Market, *on the* 5th *of* June 1647.

WHereas upon the Petition intended and agreed upon in the Army in *March* laſt, to have been preſented to the General for the obtaining of our due and neceſſary Concernments as Souldiers; the Honourable Houſe of Commons being unſeaſonably prepoſſeſt with a Copy thereof, and (as by the ſequel we ſuppoſe) with ſome ſtrange Miſrepreſentations of the Carriage and Intention of the ſame, was induced to ſend down an Order for ſuppreſſing the Petition, and within two or three days after, upon further miſinformation and ſcandalous Suggeſtions, of the like or worſe Nature, and by the indirect practices of ſome malicious and miſchievous Perſons (as we ſuppoſe) ſurprizing, or otherwiſe abuſing the Parliament, A Declaration was publiſhed in the Name of both Houſes, highly cenſuring the ſaid Petition, and declaring the Petitioners, if they ſhould proceed thereupon, no leſs than Enemies to the State, and Diſturbers of the Publick Peace; And whereas at the ſame time and ſince, divers eminent Officers of the Army have been brought into queſtion and trouble about the ſaid Petition, whereby both they and the reſt of the Officers were diſabled, or diſcouraged for the time from further acting or appearing therein on the Souldiers behalf; And whereas by the aforeſaid proceedings, and the effects thereof, the Souldiers of this Army (finding themſelves ſo ſtopt in their due and regular way of making known their juſt Grievances and deſires to and by their Officers) were enforced to an unuſual (but in that Caſe neceſſary) way of Correſpondence and Agreement amongſt themſelves, to chuſe out of the ſeveral Troops and Companies ſeveral men, and thoſe out of their whole number, to chuſe two or more for each Regiment, to Act in the Name and behalf of the whole Souldiery of the reſpective Regiments, Troops, and Companies, in the proſecution of their Rights and Deſires in the ſaid Petition, as alſo of their juſt Vindication, and writing in reference to the aforeſaid proceedings upon and againſt the ſame, who have accordingly acted and done many things to thoſe ends, all which the Souldiers did then approve as their own Acts. And whereas afterwards (upon the ſending down of Field Marſhal *Skippon*, and thoſe other Officers of the Army

23 *Caroli.*

my that were Members of the Houſe of Commons, to quiet Diſtempers in the Army; freſh hopes being conceived of having our deſires again admitted to be made known and conſidered in a regular way, and without ſuch Miſrepreſentations as formerly, the Officers of the Army (except ſome few Diſſenting Officers) did again joyn in a Repreſentation of their common Grievances, and the Officers (except as before) did agree upon a Narrative Account of the Grounds, riſe, and growth of the Diſcontents of the Army, and their proceedings in relation thereunto, with an Overture of the beſt Expedients to remove or ſatisfie the ſame, both which were preſented to the ſame Members of the Houſe, and by them reported to the Houſe; and whereas the Parliament having thereupon voted, and Ordered ſome particulars only towards ſatisfaction of our Grievances, hath ſince procceeded to certain Reſolutions of ſudden Disbanding the Army by pieces, which Reſolutions being taken, and to be executed before full and equal ſatisfaction be given to the whole Army in any of the Grievances, before effectual performance of that ſatisfaction in part which the preceding Votes ſeemed to promiſe as to ſome of the Grievances, and before any Conſideration at all of ſome others moſt material (as by the reſult of a general Council of War on *Saturday*, *May* 29.) was in general declared, and is now more fully demonſtrated in particular, by a Repreſentation thereupon, and agreed unto by us: We all cannot but look upon the ſame Reſolutions of Disbanding us in ſuch manner, as proceeding from the ſame Malicious and Miſchievous Principles and Intentions, and from the like indirect Practices of the ſame Perſons abuſing the Parliament, and is as the former proceedings againſt us before mentioned did, and not without Carnal and Bloody Purpoſes (for ſome of them have not ſtuck to declare or intimate) after the Body of the Army ſhould be Disbanded, or the Souldiers divided from their Officers: Then to queſtion, proceed againſt, and execute their malicious Intentions, upon all ſuch particular Officers and Souldiers in the Army, as had appeared to Act in the Premiſes in the behalf of the Army; and whereas upon a late Petition to the General from the Agitants, in behalf of the Souldiers (grounded upon the preceeding Conſiderations) relating to the ſame Reſolutions of Disbanding, the ſame general Council of War, to prevent the danger and inconveniences of thoſe Diſturbings or Tumultuous Actings, or confluences, which the Diſſatisfaction and Jealouſie, thereupon alſo grounded, were like ſuddenly to have produced in the Army, to adviſe the General, firſt to contract the Quarters of the Army, and then to draw the ſame to an orderly Rendezvous for ſatisfaction of all, and that his Excellency would immediately ſend up to move and deſire the Parliament to ſuſpend any preſent proceeding upon the ſaid Reſolution of Disbanding, to reſume the Conſideration of the Grievances and Deſires ſent up from the Army, and not to Disband it in pieces, before juſt and equal ſatisfaction be given to the whole; And whereas ſome of the Regiments appointed for Disbanding, upon notice thereof, withdrawing themſelves from the Quarters adjacent to the appointed Rendezvous, and drawing towards the Head Quarters; and the contracting their Quarters according to the ſaid advice of the Council of War.

We the Officers and Souldiers of ſeveral Regiments hereafter Named, are now met at a general Randezvous, and the Regiments appointed as aforeſaid to be Disbanded, have not appeared, nor can appear; but are reſolved not to appear at the reſpective and ſeveral Randezvous, appointed as aforeſaid for their Disbanding, and divers other things have been done by ſeveral other Parties or Members of the Army, neceſſarily relating to the good and concernment of the whole in theſe Affairs: Now foraſmuch as we know not how far the Malice, Injuſtice, and Tyrannical Principles of our Enemies, that have already prevailed ſo far to abuſe the Parliament, and the Army (as is aforementioned) in the paſt proceedings againſt the Army, may further prevail to the danger and prejudice of our ſelves, or any Officers or Souldiers of the Army, or other Perſons that have appeared to act any thing in behalf of the Army; or how far the ſame may further prevail to the danger or prejudice of the Kingdom, in raiſing a new War or otherwiſe: Therefore for the better prevention of all ſuch dangers, prejudices, or other inconveniences that may enſue, and withal for better ſatisfaction to the Parliament and Kingdom concerning our deſires of conforming to the

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the Authority of the one, and providing the good and quiet of the other in the preſent Affairs of Disbanding; and for a more aſſured way whereby that Affairs may come to a certain iſſue (to which purpoſe we herein humbly implore the preſent and continued aſſiſtance of God, the Righteous Judge of all) We the Officers and Souldiers of the Army ſubſcribing hereunto, do hereby declare, agree, and promiſe to and with each other, and to and with the Parliament and Kingdom as followeth.

1. That we ſhall chearfully and readily Disband, when thereunto required by the Parliament, or elſe ſhall many of us be willing (if deſired) to engage in further Services either in *England* or *Ireland*, having firſt ſuch ſatisfaction to the Army in relation to our Grievances and Deſires heretofore preſented, and ſuch Security, That we of our ſelves (when Disbanded, and in the Condition of private men) or other the free-born People of *England* (to whom the conſequence of our Caſe doth equally extend) ſhall not remain ſubject to the like Oppreſſion, Injury, or Abuſe, as in the Premiſes have been attempted and put upon us while an Army, by the ſame mens continuance in the ſame Credit and Power (eſpecially if as our Judges) who have in theſe paſt proceedings againſt the Army, ſo far prevailed to abuſe the Parliament and us, and to endanger the Kingdom; and alſo ſuch Security that we our ſelves, or any Member of this Army, or others, who have appeared to act any thing in behalf of the Army, in relation to the Premiſes before recited, ſhall not after Disbanding be any way queſtioned, proſecuted, troubled, or prejudiced for any thing ſo acted; or for the entering into, or neceſſary Proſecution of this neceſſary Agreement; (we ſay) having firſt ſuch Satisfaction and Security in theſe things, as ſhall be agreed unto by a Council, to conſiſt of thoſe General Officers of the Army (who have concurred with the Army in the Premiſes) with two Commiſſion Officers, and two Souldiers to be choſen for each Regiment, who have concurred and ſhall concur with us in the Premiſes, and in this Agreement; and by the major part of ſuch of them, who ſhall meet in Council for that purpoſe, when they ſhall be thereunto called by the General.

That without ſuch Satisfaction and Security as aforeſaid, we ſhall not willingly Disband, nor Divide, nor ſuffer our ſelves to be Disbanded or Divided.

2. And whereas we find many ſtrange things ſuggeſted or ſuſpected to our great prejudice, concerning dangerous Principles, Intereſts, and Deſigns in this Army, as to the overthrow of Magiſtracy, the ſuppreſſion or hindering of Presbytery, the Eſtabliſhment of Independent Government, or upholding of a general Licentiouſneſs in Religion, under pretence of Liberty of Conſcience, and many ſuch things; We ſhall very ſhortly tender to the Parliament a Vindication of the Army from all ſuch ſcandals, to clear our Principles in relation thereunto, and in the mean time we do diſallow and diſclaim all purpoſes or deſigns in our late or preſent proceedings, to advance or inſiſt upon any ſuch Intereſt; neither would we (if we might and could) advance or ſet up any other particular Party or Intereſt in the Kingdom (tho' imagined never ſo much our own) but ſhall much rather (as far as may be within our Sphere or Power) ſtudy to promote ſuch an Eſtabliſhment of common and equal Right and Freedom to the whole, as all might equally partake of, but thoſe that do, by denying the ſame to others, or otherwiſe, render themſelves incapable thereof.

A true

23 Ca oli.

A true Impartial Narration, concerning the Armies preſervation of the King: By which it doth appear, that the Army doth intend the Good Life, Property and Liberty of all the Commons of England.

FEllow-Commoners, conſidering with our ſelves how variouſly thoſe men will Report, that endeavour to carry on their Deſigns, though it be to the Ruin and Deſtruction of others, who are their Fellow-Commoners, and have as juſt a right and propriety to the Liberties and Freedoms of the Nation as themſelves. And conſidering alſo how miſinformation may ſeduce you, and draw you away from the knowing of things in their true unmixt Nature, and conſequently from acting and walking accordingly, ſo that not only our ſelves may be drawn by ſuch Miſrepreſentations of things, into inexpreſſible, extraordinary Sadneſſes, Miſeries, and Calamities, but alſo you into perpetual irrecoverable Servitude and Bondage, even in a moment of time, before you or we are aware of. And alſo conſidering, that certain of the Houſe of Commons, have ſold the Record of *Magna Charta* (which doth demonſtrate the Subjects Rights, Liberties, and Properties) for 10000 *l.* ſo that it might never be uſed again, as we can (we hope) evidently prove; ſo that by it you may ſee their Deſign. Therefore we (who have fought for you in the ſight of the Sun, and for your Liberties and Proprieties as well as our own; and have been faithful to you in the apprehenſions of all rational men, and thoſe that will not lie againſt their own Souls, or walk contrary to the Teſtimony of their own Conſciences) cannot chuſe but with reciprocal tenderneſs preſent unto you truly, briefly, and clearly, without partiality, the Nature of the buſineſs concerning the King's Majeſty and us at *Holdenby*, *June* 4. 1647.

On *Wedneſday* Cornet *Joyce* went to the Bowling-Green, where his Majeſty was at Bowls within a Mile of *Holdenby*; the cauſe of the Cornet's being there, was to prevent the King's being conveyed away in a ſecret manner, which was juſtly ſuſpected to be done by ſome that were with his Majeſty. Cornet *Joyce*, an appointed Agent by the Army, obſerving a ſudden alteration, in perſwading the King to go to my Lord *Spencer*'s to Bowls, when the King had reſolved before to go two Miles further; and at the King's taking Horſe, Colonel *Graves* and a *Scottiſh* Lord whiſpered, and were more than ordinary earneſt in their privacy, which did occaſion jealouſie at that opportunity; after the King had been at Bowls one hour, *Graves* queſtioned a Souldier, and asked him from whence he came; the Souldiers Anſwer was, from *Oxford*, and that he had been lately with the Army. Then *Graves* asked if the Army was not contented with the Ordinance of Indempnity, and the Votes of Parliament. The Souldier Anſwered no, and that it would in no way ſecure them; and gave *Graves* a Reaſon: becauſe many of their Follow Souldiers, and thoſe that had acted for the Parliament, were moleſted notwithſtanding it; and what a ſad thing will it be to conſider, that the Souldiery ſhall taſte of the Parliament's Judges cruelty, notwithſtanding their good Services, and the preſerving of the Heads of ſome men in the Parliament: And therefore judge how much below the light of Nature theſe men live, and how much they exerciſe themſelves in Tyranny, when they will not do good unto thoſe that do good unto them. Then *Graves* asked him more News, and ſaid, he need not be afraid; but he ſaid he was not afraid of him, or any Man in the Kingdom, for he had done nothing that he knew of to make him afraid; and he further ſaid, he would deal ingeniouſly with him, and tell him the truth of any thing he ſhould ask him. Then *Graves* asked, if he did not hear of a Party of Horſe, he anſwered he did more than hear of a Party, for he ſaw them the day before within 30 Miles of *Holdenby*: This made *Graves* tremble, as if he had been guilty of ſomething he had done or intended to do; otherwiſe why ſhould he afterwards, and the *Scottiſh* Lord his Confederate, have run away, when no Man intended to do them the leaſt hurt in the World. But the *Scottiſh* Lord went to *London*, and hath notoriouſly wronged the King, and the Party alſo that did ſecure his Majeſty's Perſon for the Peace and Safety of the Kingdom, as was declared at large before a thouſand Witneſſes; ſo

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that by it you may ſee the deſign of a cunning *Scott*, and what ſuch will do to get Mony and Honour, even againſt King and People.

Further for the Security of the King's Perſon, the Party marched towards *Holdenby*, and when they came to the Houſe, the Commiſſioners ſent one Captain *Middleton* to know of us what we came for, and what we would have, and who commanded? Anſwer was made him, *All commanded.* Then Captain *Middleton* replyed, If you have any thing to do here, the Commiſſioners would know what it is, and deſired they would ſend in to the Commiſſioners one or more to certifie what was the Intent of coming thither. Whereupon Cornet *Joyce*, by unanimous Conſent of the Party, went in to the Commiſſioners, and told them the truth of their coming thither, which was to ſecure his Majeſty's Perſon, and to protect them; there being a ſecret deſign, as they were informed, to convey or ſteal away the King, and to raiſe another Army to ſuppreſs this under his Excellency Sir *Thomas Fairfax*: Likewiſe he ſaid, he knew no other way to keep this Kingdom from Blood, or another War, but by the preſent Security of the King's Perſon, and that he may be no more miſs-led; and if he were, that the Kingdom was utterly undone for ever. If this be all, ſaid the Commiſſioners, it is well done.

But after it, Cornet *Joyce* ſpake more to the Commiſſioners, and told them, he did humbly conceive that there were ſome who did delay Juſtice, and ſeek only to disband the Army, who were raiſed for the defence of the juſt Rights, Properties, and Liberties of the Subject, and the bringing of all unjuſt Men to condign Puniſhment, ſuch who did endeavour to ſubvert the fundamental Laws of the Kingdom: And he ſaid he did believe, that there were ſome who did endeavour to pull down King and People, and to ſet up themſelves; and who they were, the Commiſſioners and the World may judge and ſee by their Actions.

Whereupon he took his leave of the Commiſſioners for a while, leſt the King ſhould be diſturbed in his Bed-Chamber. Then Major General *Browne* went to the King, and did aſſure his Majeſty of the truth of the buſineſs, and deſired his Majeſty not to be troubled, for no hurt ſhould come unto him, for they were all civil Gentlemen; and his Majeſty ſhould find it ſo. After this was done, the Cornet went to the Commiſſioners again, and deſired them to give him Orders, he being willing to obey them, becauſe they were appointed by the Parliament to be there to that end. Then Major General *Browne* ſaid, Come again by and by, and we will give you Orders; in the mean time ſet your Guards, and place your Sentinels; which Direction of his we followed, and told him and the reſt of the Commiſſioners, if they would give us Orders, I would obey them, provided they were juſt, and for the Security of the King's Perſon. All this being done, it grew towards Noon. After that, Cornet *Joyce* deſired the Soldiers to mount to Horſe, and told them they ſhould all go to Quarters; at which word of Command all was done: And the ſaid Cornet was to give in a relation to the Commiſſioners of his coming, and the Grounds in writing, and did; but, becauſe of the multiplicity of buſineſs, could not give it in that form as otherwiſe he might, if he had time.

All this being done, all was quiet in the ſaid preſent Security of his Majeſty, until Tidings came that *Graves* was gone quite away; and thereupon it was ſuppoſed he was (and thought himſelf alſo) guilty, or elſe he would have ſtayed, but none could tell what was become of him; and ſome of his damming Blades did ſay and ſwear, they would fetch a Party; which Party could not be from the Army, but muſt be from ſome other place. And therefore to prevent Diſturbance and Blood, and for the Peace-ſake of the Kingdom, all declared unanimouſly, that they thought it moſt convenient to ſecure the King in another place, from Perſons as could cunningly or deſperately take him away contrary to Order; which was endeavoured very earneſtly (as we are informed) by ſome that are Enemies to the Peace of the Kingdom, and the Proſperity of the Army.

But another cauſe of Jealouſie was, not knowing the Reſolutions of thoſe who quartered Soldiers, and pretended for *Ireland.*

And further to give all ſatisfaction to the whole Kingdom, and to the real effecting of a buſineſs of ſuch Concernment, the Soldiers ſent Cornet *Joyce* to the Commiſſioners at ten of the Clock at Night, who deſired the Commiſſioners to let the King know he would ſpeak with him: Some of the Commiſ-

Commiſſioners being unwilling, held the Cornet in diſcourſe about half an hour, until the King was aſleep in his Bed; yet notwithſtanding the ſaid Cornet could not be contented till he had ſpoken with the King, it being the only way and means to prevent Trouble for the future, and Blood that might come upon the face of the Kingdom; and therefore the ſaid Cornet judged it in his own Conſcience requiſite to ſpeak with him at that Opportunity, and therefore he offered the Commiſſioners to go with them with as much gentleneſs and tenderneſs as he could, to tell his Majeſty ſomething for his and his Kingdom's good; which was to take him from thence, there being a ſecret deſign to ſteal and convey away his Majeſty's Perſon, to ſide with ſome who pretend Juſtice, and deceive the Kingdom, and obſtruct the Relief of poor diſtreſſed *Ireland*; intending to break the Army in pieces now under the Command of Sir *Thomas Fairfax* our General, and to raiſe another Army to carry on their Deſign, and that all rational Men may ſee it by the Actions of ſome Men, (as *Stappleton*, *Glynne*, *Greene*, *Erle*, and others) who ſaid, *It's now come to that, that they muſt ſink us, or we ſink them.* But more was ſpoken by the ſaid Cornet, but this in brief. I was willing to let all paſs without giving a Relation, until I heard that the *Scottiſh* Lord had falſely told the Parliament of our Proceedings with the King, who ſaw or heard it not; for he was not within a Mile of the Court, when all theſe forementioned Paſſages were: For the *Scottiſh* Lord, as we are informed, reported that the King was taken away againſt his Will. For although the King told Cornet *Joyce* before the Commiſſioners, he was unwilling to go with us, yet he ſaid, That ſuch Reaſons might be produced that might prevail with him, and then he did proteſt nothing ſhould ſtay him, but he would go whether the Commiſſioners would yea or no. And Reaſons were given accordingly, which did prevail with his Majeſty to promiſe to go the next Morning, and he gave a Confirmation of his willingneſs, by ſaying to the Cornet, He ſhould be the more willing to go, if the Cornet would promiſe him ſome things which he ſhould propound. The Cornet ſaid he would, if they were juſt and warrantable in his Underſtanding, and deſired his Majeſty that he might hear the things. Then his Majeſty ſpake before the Commiſſioners, and ſaid, Mr. *Joyce* I have this to propound unto you. May it pleaſe your Majeſty I am willing to hear, ſaid Cornet *Joyce*, but am ſorry I have diſturbed you out of your Sleep; but the King ſaid, No matter, if you mean me no hurt; and then ſpake, *viz.* If you will promiſe me that I ſhall have no hurt, ſaying, you may take away my Life if you will, having the Sword in your hands. This Anſwer the Cornet made, That the Parliament had declared to preſerve his Majeſty's Perſon, and that they being the Parliament's Army ſhould not but endeavour the ſame; only they did deſire to ſecure him from being taken away, leſt he ſhould be at the Head of another Army, and ſo this Kingdom involved into danger. And all this was ſaid in anſwer to his Majeſty's firſt Propoſition.

23 Carol.

The ſecond was, That he would not be forced to any thing againſt his Conſcience by us. He anſwered, That he would be unwilling to force any Man againſt his Conſcience, much leſs his Majeſty; and alſo ſaid, That he hoped he was ſenſible of thoſe that did endeavour to force Men againſt their Conſciences, and yet delayed to do Juſtice or ſettle the Kingdom, for which they were ſent; and did endeavour to disband or break this Army in pieces, who ſought nothing but Juſtice, as will appear hereafter to all the World. Pray God it may, ſaid the King.

Obſerve, None will oppoſe this Army but guilty Conſciences, and they will fly in our Faces, or raiſe an Army againſt us. Saith the Marginal Note.

Thirdly, He demanded whether yea or no he ſhould have his Servants with him, and whether he ſhould be provided for like a Man in his Place; and that he had been courteouſly uſed by thoſe Commiſſioners that were with him, as ever he was by any. The Cornet anſwered, That he ſhould endeavour as far as in him lay, to ſhew him all juſt and due reſpect; and that he might be no otherwiſe attended on than before, the Cornet deſired the Commiſſioners of Parliament to go with the King, and diſcharge that Truſt impoſed on them, and the Soldiery ſhould aſſiſt them ſo long as they were juſt and honeſt. Then ſaid the King, I will willingly go along with you, if the Soldiery will confirm what you have promiſed me; the King believing I had ſaid nothing but what they would ſtand to. All this being ſpoken at ten a Clock or eleven at Night: And when the King had done propounding theſe Queſtions to the Cornet, he gave his word to be ready

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by ſix the next Morning, to hear if the Soldiers would confirm what I had promiſed, and if they would he would willingly go with us; for it was ſo bad an Air, that he could never be ſo well as he had been, and if he were once gone, he would be unwilling to come back again to that Place any more: Many other Reaſons he had which he gave not. According to his Promiſe he came in the Morning at ſix of the Clock, where he found all the Soldiers ready mounted to march with him; but before he would march, he deſired to ſpeak the ſame things to the Soldiers, which he ſpake over-night to the Cornet, to ſee if they would confirm what he ſaid and had promiſed; which they did with one conſent: And before the Soldiers the King was pleaſed to ask the Cornet, what Commiſſion he had to ſecure his Perſon? Then ſaid the Cornet, If the Parliament had ever made an Order that the Army ſhould not have ſecured the King's Perſon, he ſhould not have dared to do what he had done; but he being informed his Majeſty was to be conveyed away, which, if not prevented, might have cauſed another War, and involved the whole Kingdom in Blood again; this was the only cauſe of our ſecuring the King's Perſon. This Anſwer did not ſatisfie the King; but he asked what Commiſſion I had for doing that I did? I told his Majeſty, the Soldiery of the Army; or elſe I ſhould not have dared to have done what I have; and conceiving it to be the only way to bring Peace to *England*, and Juſtice with Mercy, which is the thing which all honeſt Men will deſire, and none will hinder but ſome guilty Conſciences, who by their Will ſeek to deſtroy both King and People, to ſet up themſelves. Yet the King was not ſatisfied with this, but asked, Whether I had nothing in Writing from Sir *Thomas Fairfax* our General, to do what I did? The Cornet deſired the King he would not ask him ſuch Queſtions, for he did conceive he had ſufficiently anſwered him before. Then ſaid the King, I pray Mr. *Joyce* deal ingeniouſly with me, and tell me what Commiſſion you have? The Cornet's Anſwer was, Here is my Commiſſion. Where, ſaid the King? He anſwered, Here. His Majeſty again asked, Where? He anſwered, Behind me; pointing to the Soldiers that were mounted; and deſired his Majeſty that that might ſatisfie him. Whereupon the King ſmiled, and ſaid, It is as fair a Commiſſion, and as well written as he had ſeen a Commiſſion written in his life; a Company of handſom proper Gentlemen as he had ſeen a great while. But what if I ſhou'd refuſe yet to go with you, I hope you would not force me? I am your King, and you ought not to lay violent hands on your King; for I acknowledge none to be above me here, but God. Then ſaid Mr. *Joyce*, Our Deſires are not to force your Majeſty, but have humbly intreated your Majeſty to go with us, and not only your ſelf but the Commiſſioners, and to this end, that the Commiſſioners might diſcharge that Truſt impoſed on them as honeſt Members of Parliament. Then ſpake one of the Commiſſioners of Parliament, and ſhewed us a Paper; what was therein we ſaw not. They all ſpake to us in order, the laſt that ſpake, as I remember was Major General *Browne*, who ſaid the Commiſſioners had an Order of Parliament to look to the King at *Holdenby*; and if he had Strength we ſhould have had his Life, before we ſhould have brought the King away. Indeed, ſaid the Cornet, you ſpeak like a faithful and gallant Man; but he knew well enough he had not Strength, and therefore he ſpake ſo boldly. Major General *Browne* ſaid further, But ſince it is ſo, I muſt do what you will have me, being not able to reſiſt you. Then ſpake Cornet *Joyce* further, We came not to have the Blood of any Man, but for Peace; and did hope ſhould manifeſt it to all the World, for he ſought Peace with all Men as much as in him lieth; and further ſaid, They were Servants to the Parliament and Kingdom, and had ſerved them faithfully ever ſince the beginning of this War, or elſe more Heads had been cut off before this time: And if the Soldiers had been ordered not to ſecure his Majeſty, they would not have dared to have done it, becauſe they were Servants to the State, as well as the Commiſſioners; they did what they did to keep the Kingdom from Blood and a ſecond War, which if not prevented might unhappily have come upon us ſuddenly; as you may ſee is the Endeavour of ſome Men, who pretend to be the King's and Kingdom's beſt Friends. After this the King was going away, but turned and ſaid, Now, Gentlemen, for the place you intend to have me to? Mr. *Joyce* anſwered, If it pleaſe your Majeſty, to *Oxford*.

The

The King replyed, That is no good Air.

Mr. *Joyce* ſaid, Then to *Cambridge*.

The King did not like that, but ſaid he liked *New-market*; it was an Air that did very well agree with him.

And it was granted by Mr. *Joyce* he ſhould go thither.

Then the King asked Mr. *Joyce*, how far he intended to ride that Night?

And Mr. *Joyce* anſwered, As far as your Majeſty can conveniently ride.

The King ſmiling, ſaid, I can ride as far as you, or any Man there. But he concluded to talk of that, and his Accommodation, privately; and ſo he courteouſly took his leave of the Company, and was going, and one whiſpered him, and he turned back, and heard the Commiſſioners ſpeak to the Company thus in order. Firſt my Lord *Mountague* ſpake, and ſaid, Gentlemen, we are intruſted by both Houſes, (ſhewing in his hand a Paper, the Authority they had) and deſire to know, whether all the Party do agree to what Mr. *Joyce* hath ſaid?

And they cryed, All, All.

And he having ſpoke low, Sir *John Cooke* ſeconded him with a loud Voice, and added, That as the Parliament had intruſted them, had he but Forces to withſtand the Party, he would have done it with his Life. And Mr. *Crew* ſaid the ſame.

And Major *Brown* ſpake laſt to the ſame purpoſe, but added ſomething more than the reſt: Saying, it was not the firſt time that he had been at the Head of a Party, and that they knew not the Law; and he durſt affirm that ſcarce two in the Company, although they cryed All, All, knew what the Gentleman had delivered to the King. And therefore he ſaid with a loud Voice; all that are willing the King ſhall ſtay with us, the Commiſſioners of Parliament, let them ſpeak. And all the Party cryed, None, none. Then ſaid he, I have done. Only the Souldiers ſaid, We underſtand well enough what we do. Now let all the World judge what is done, and who is in fault, and who they are that ſeek War, and no Peace nor Juſtice.

One Word more, Fellow-Commoners. Dear Friends and Fellow-Commoners, We the Soldiery under his Excellency Sir *Thomas Fairfax*, do deſire to ſpeak one Word to you all, that ſo you may ſee and know our very Hearts, ſo far as we know them our ſelves: And that our earneſt Deſires are for Peace in this our native Land and Kingdom, and being more ſenſible than many thouſands are, how deſtructive another War will be, if not our utter Ruin and Undoing. The Words we ſhall ſpeak to you are, To prevent War, and to find out thoſe that have of late ſent that *Scottiſh* Lord, who went from *Holdenby* to *London*, and from thence into *France*; and another *Scotch* Lord into *Scotland*, all this to bring another Army into *England*; and we ſhall be able to make it appear to you hereafter, who are the chief Actors therein.

Dear Friends and Fellow-Commoners, let us not be like to thoſe who have ſet their Hands to the Plough and look back; but let it appear to all the World we are againſt another War, and for Peace, Mercy, and Juſtice, without delay. Now look about you, and be not deluded any longer, leſt the *Scott* ſell the King for more Money, and others oppreſs the Kingdom, and put the Kingdom's Treaſure into their own Pockets, or ſend it out of our Kingdom, as if they were preparing to go after, for fear they ſhould be found out. This we ſpeak, that ſo you may have a care of this glorious Kingdom; your Shipping being now in thoſe Mens Hands who have done you moſt wrong, and if not looked after by you, may ſuddenly let in a foreign Enemy to over-run you all, and raviſh your Wives, and roaſt your Children alive, as thoſe bloody-minded Men in *Ireland* have done; and this will be our caſe if you awake not ſuddenly. I have done, a word to the wiſe is ſufficient, and reſt,

Yours and the Kingdom's Faithful Servant 'till Death, for England's *Liberty againſt Tyranny*, &c.

Die

An. 1647.

Die Sabbati, June 5. 1647.

IT is this Day Ordered, upon the Queſtion, by the Commons aſſembled in Parliament, That all the Members of the Houſe be hereby enjoyned forthwith to attend the Service of the Houſe, notwithſtanding any former particular Leave or Order to be abſent.

It is further Ordered, That this Order be forthwith Printed; and that the Knights and Burgeſſes of the ſeveral Counties and Places, do forthwith ſend this Order to the particular and reſpective Sherriffs, requiring them to give particular Notice of this Order to the reſpective Members within their ſeveral Counties.

Votes of the Lords and Commons aſſembled in Parliament, for the disbanding and Payment of Sir *Thomas Fairfax* his Army. Ordered by the Lords and Commons aſſembled in Parliament, That the Common Soldiers, both of Horſe and Foot, of Sir *Thomas Fairfax* his Army, ſhall have their full Pay upon their disbanding or engaging for *Ireland*; deducting for free Quarter, according to the Courſe and Rules of the Army.

Ordered by the Lords and Commons aſſembled in Parliament; That the Officers of this Army not in Commiſſion, ſhall likewiſe have their full Pay upon their disbanding or engaging for *Ireland*; deducting for free Quarter, according to the Courſe and Rules of the Army.

Ordered by the Lords and Commons aſſembled in Parliament, That there ſhall be an Addition of a Months Pay, to the Commiſſioned Officers of Sir *Thomas Fairfax* his Army, both Horſe and Foot, that ſhall either disband or engage in the Service of *Ireland*.

Ordered by the Lords and Commons aſſembled in Parliament, That the Declaration, bearing Date the 30*th* of *March*, 1647. ſhall be expunged out of the Journal of both Houſes. The ſaid Declaration was accordingly expunged.

Ordered by the Commons aſſembled in Parliament, That this Ordinance, and Votes, be forthwith Printed and Publiſhed.

AN

23 Caroli.

AN

ADDITIONAL ORDINANCE,

FOR

The *more full Indempnity* of the *Officers* and *Souldiers*, who have acted by Authority, and for the Service of the Parliament.

FOrasmuch as in the times of this late War and publick Diſtractions, there have been many injuries done to private Perſons, and other Offences committed by private Perſons bearing Arms in the Service of the Parliament; The Lords and Commons in Parliament Aſſembled, taking into their Conſideration, That it is expedient that the Injuries and Offences aforeſaid be pardoned, and put in Oblivion, rather than by pretence of proſecution againſt ſome few Perſons, a great number of ſuch who have faithfully ſerved the Parliament, be brought into a continual Vexation for ſuch Actions, as the Exigence of War hath neceſſitated them unto; Do therefore Ordain, and be it Ordained by the ſaid Lords and Commons, That all Perſons who have committed any Offences, Treſpaſſes, Injuries, or other Miſdemeanours whatſoever, during ſuch time as they have been employed in Arms, by or for the Service of the Parliament, be, is, and are hereby Diſcharged and Pardoned of the ſame, and of and from all Proſecution or Dammages therefore, at the ſuit of the King or the Party grieved; and may, in caſe he or they be queſtioned therefore, plead the general Iſſues, and give this Ordinance in Evidence, which ſhall be allowed to all intents and purpoſes, as if the ſame were pleaded in Bar. And in caſe any ſhall Proſecute any Action or Suit contrary to the Tenor of this Ordinance, againſt any Perſon hereby Diſcharged, after notice given that ſuch Perſons are hereby Diſcharged, The Defendant or Defendants, ſo Proſecuted, ſhall recover his and their Coſt againſt ſuch Proſecutor.

Provided alſo, That this Ordinance, or any thing herein contained, ſhall not extend to Diſcharge any ſuch Perſon or Perſons as aforeſaid, from making their true and juſt Accompts to any Committee or Committees of Parliament, appointed or to be appointed for that purpoſe, of what they have taken, received, or had for the Service or Benefit of the Parliament.

To

An. 1647.

To the Right Honourable, Excellent, Worthy, and Pious Sir Thomas Fairfax, *General over thoſe Forces raiſed in behalf of the Countries Rights and Liberties.*

The Petition of the well-affected in the County of *Eſſex.*

Humbly Sheweth,

THAT your Petitioners being not a little ſenſible of thoſe growing Evils, which are like to over-ſpread this Kingdom, unleſs the Mercy of God prevent (which after ſo much exhauſting our Eſtates, loſs of Lives, Engagements of our Perſons to regain this poor Nation to an Enjoyment of its Rights and Liberties) and yet like to flow upon us by thoſe which have been our open Enemies, or elſe a Party of pretended Friends, inſomuch that your poor Petitioners, and all the well-affected in the Country, have juſt cauſe to fear; that after we have, by the bleſſing of the Almighty upon this Army, been reſcued from many oppreſſions which lay heavy upon us, We are now like to be Vaſſallaged and enſlaved in the *Norman* Laws, and Prerogative Clutches of an Ambitious Party in the Nation.

And likewiſe taking into Conſideration, That there is no *Remora* to ſtop the proceedings of violent men againſt us, but this preſent Army under your Honourable Conduct, whoſe conſtant Fidelity and faithful Reſolutions, together with the bleſſing from above, have hitherto abaſhed the Enemies of our Peace and Safety, and gained the favour of all thoſe who are the true Friends to a free Nation.

Theſe things, Right Honourable, ſinking deep into our ſpirits, we thought it meet and convenient to repreſent our thoughts unto you; And ſo much the rather, in regard the Petitions of the free-born Nation, have been rejected by thoſe which we have intruſted for the receiving them, yea, Ordered to be burnt by the Hands of the Common Hangman; inſomuch that we have no where elſe to appeal but unto your Excellency, from whom, under God, we expect ſome redreſs of our Miſeries. Our humble Deſires to your Excellency therefore are,

Firſt, That before you Disband the Army, you would be pleaſed to conſider the ſad Condition which is like to befal the free-born People of *England*, and likewiſe our preſent Vaſſallage we groan under.

Secondly, That you would be pleaſed to mediate with the Parliament in our behalf, and to uſe all ſuch means which you in your Honourable Wiſdom ſhall think convenient, to ſettle Affairs in a fair and peaceable way, ſo that all that Renown which Providence hath hitherto Crowned your endeavours withal, may not now at laſt be blaſted with the Intentions and crafty Machinations of yours and the Kingdoms Enemies.

Thirdly, That your Excellency would be pleaſed in no caſe to admit of Disbanding, till ſuch time as you ſee theſe and the Kingdom's juſt and legal Requeſts imbraced. If thus, Right Honourable, God ſhall draw forth your heart to act for us, we ſhall ſhall for ever engage our ſelves your Servants in the Vindication of your juſt proceedings, and ever pray for your Honourable Safety.

This Petition was preſented to his Excellency at the Rendezvous of the Army at Triplo-Heath *near* Royſton, *with the ſubſcription of above a thouſand of the Inhabitants.*

Die Lunæ, June 7. 1647.

VOTES of the Commons in Parliament.

Ordered (upon the queſtion) by the Commons Aſſembled, That no Perſon that hath been in actual War againſt this Parliament, ſhall be admitted to ſit as a Member in this Parliament.

Munday,

Fol. 545 *Follows.*

22 *Caroli* I.

CHAP. XV.

Proceedings in Parliament from June 3. 1647. *to* July 5.

Munday, June 7. 1647.

THE Letter aforeſaid, from his Excellency, was this Day read again and debated in both Houſes (informing briefly) that

The General's Letter in brief concerning the King's coming to the Army.

'On *Saturday*, being *June* the 5*th*. at a Rendezvous near *Newmarket*, with 'intent to go and Quarter about *Cambridge*, he got knowledge, that the 'Soldiers at *Holmby* had, on *Friday*, brought His Majeſty thence by conſent; 'and that He lay at *Henching-Brook*, near *Huntington*, at the Houſe of Colonel '*Montague* (a Member of the Houſe of Commons, and of the Army.) The 'Night following lay there alſo, and would be at *Newmarket* the next Day: 'And that the ground of the Soldiers removing His Majeſty was, from an 'apprehenſion of Forces gathering to fall upon them, and force the King out 'of their hands; and fearing their want of Strength to keep him (not know 'ing Colonel *Whalley* was coming towards the King with his Regiment) they 'ſecured the King. The General ſent Colonel *Whalley* towards *Huntington*, 'with order, that where-ever he met His Majeſty and the Commiſſioners, to 'deſire them to come no further that way, but rather to return, and 'ſuffer him to guard them back to *Holmby*: After which, for prevention of 'Danger, two Regiments more were ſent towards Evening, to reinforce Co- 'lonel *Whalley*. Colonel *Whalley* certified the General, That His Majeſty was 'come within four Miles of *Cambridge*, and not willing to come to *Holmby*, 'Quarter was taken up for him at Sir *John Cuts's* Houſe at *Childerſey*: Upon 'this notice, the General ſent Sir *Hardreſs Waller*, and Colonel *Lambert*, to 'deſi e the Commiſſioners to think of returning to *Holmby*; but the Com- 'miſſioners refuſed to act in diſpoſing the King. This being the truth, the 'General profeſſes for himſelf, and is confident for the Officers about him, 'and the body of the Army, that this remove was without their deſire or 'privity.

The Commiſſioners refuſe to act in diſpoſing the King.

'The King not willing to go back, and the Commiſſioners unwilling to 'meddle, a Guard of truſty Men are put about His Majeſty, under the Com- 'mand of Colonel *Whalley*, for which the General will be reſponſible, that 'they ſhall ſecure His Majeſty's Perſon from danger, and prevent any miſ- 'chief by a new War, and proteſts it is his deſire, and he finds the ſame in 'the Army, *viz.* to ſtudy to ſettle a firm Peace, and the Liberties of the 'People cleared and ſecured, according to the many Declarations by which 'they were engaged in the late War: And the Parliaments ſpeedy and ef- 'fectual application to theſe, would conduce to a chearful unanimous Diſ- 'banding; and whatever may be ſuggeſted or ſuſpected, yet he aſſures, the 'ſence of the Army is clear from oppoſing Presbitery, or to have the Inde- 'pendent Government ſet up, or to hold a Licentiouſneſs in Religion, or to 'advance any particular Party or Intereſt, but to leave all ſuch to the Wiſdom 'of the Parliament.

To ſecure the King to prevent a new War.

That the Army is clear from ſiding with any Party, Presbiterian or Independent.

The Commons debated this buſineſs of the Army, and at laſt agreed, that new Commiſſioners ſhould be ſent down to the Army, to acquaint them what the Houſes had done further, in ſatisfaction of their Grievances, and to perſwade them to a compliance with the Orders of Parliament; and Inſtructions were ordered to be drawn up to this purpoſe: In all which the Lords alſo concurred, and the Commiſſioners were diſpatched away this Afternoon. The Commiſſioners are theſe, *viz.* the Earl of *Nottingham*, Lord *Delaware*,

New Commiſſioners ſent to the Army.

An. 1647.

Sir *Henry Vane*, Junior, Field Marſhal General *Skippon*, Mr. *Scowen*, Mr. *Povey*.

Mr. *Marſhal*, and Mr. *Carryll* are diſcharged of their Attendance upon His Majeſty and Commiſſioners.

A Faſt appointed for both Houſes only.

Some Debate there was about a Faſt for the Members of Parliament only; and accordingly it was ordered by the Commons, that their Houſe ſet apart next *Wedneſday* for a Day of Humiliation, That God would be pleaſed to give them one Heart and one Mind in carrying on the great Work of the Lord: And Mr. *Marſhal*, Mr. *Strong*, and Mr. *Whitaker*, are appointed to Pray and Preach with them in their own Houſe. The Lords likewiſe joined with the Commons in obſerving this Faſt, and appointed other Miniſters to preach before their Lordſhips in their Houſe.

A Petition from the City, delivered by Sheriff Edmunds, *which follows at large.*

June 8. 1647. A Petition from the Lord-Mayor, Aldermen, and Common-Council of *London* was brought down to the Houſe of Commons this Day; and the Houſe being informed thereof, and that the Sheriffs of the City of *London*, divers Aldermen, and other Citizens of *London*, were at the Doors, they were called in, and Sheriff *Edmunds* acquainted the Houſe, that they were commanded by the Lord-Mayor, Court of Aldermen, and Common-Council to deliver a Petition to the Houſe; the which, the Petitioners being withdrawn, was read, and likewiſe a printed Ordinance annexed of *Jan.* 17. 1645. for the raiſing of Horſe for the defence of the City of *London*, and for ſearching and apprehending of Papiſts, and other ill-affected Perſons.

The Petition is as follows, *viz.*

To the Honourable the Houſe of Commons aſſembled in High Court of Parliament.

The humble Petition of the Lord Mayor, Aldermen, and Commons of the City of *London* in Common-Council aſſembled.

Humbly Sheweth,

June 8. 1647. *A Petition from the City for the raiſing of Horſe to prevent ſhedding of Blood.*

THat as your Petitioners acknowledge the Parliament of *England* to be the ſupreme Judicature of the Kingdom, from whom the Subjects of this Nation have found ſhelter in Danger, and relief in Diſtreſs; ſo now your Petitioners having (with the whole Kingdom) a great ſhare and intereſt in theſe Priviledges, do therefore at this time humbly, yet earneſtly, preſent theſe their important deſires to this Honourable Houſe.

Firſt, That all honourable ways and means may be uſed to prevent the further effuſion and ſhedding of Chriſtian Blood; and to that end, that all juſt ſatisfaction may be given to the Army, and all other Soldiers who have adventured their Lives for the defence of this Parliament and Kingdom. That though the condition of your Affairs do not enable you to give full ſatisfaction at preſent, yet that their Accounts may be adjuſted and put into a certain way of Payment, to the quieting of many thouſand diſcontented Perſons, which we humbly conceive will be much to the Glory of God, the Honour of the Parliament, and Quiet of the Kingdom.

Secondly, That according to our Allegiance, the Covenant and Agreement of both Nations, His Majeſty's Royal Perſon may be preſerved, and ſo diſpoſed of, that the Parliament of both Kingdoms may have free acceſs unto him, that thereby a right Underſtanding may be obtained between them: And this tottering Church and Kingdom, after all our Fears, Sorrows, and Sufferings, may enjoy the bleſſing of a well-grounded and long deſired Peace, whereby this Kingdom may be the better enabled to ſend ſpeedy relief and help to miſerable bleeding *Ireland*.

Thirdly, That for the better defence and ſecurity of the Parliament and City in theſe tumultuous and troubleſome Times, this Honourable Houſe will

will be pleaſed to renew ſo much of an Ordinance of Parliament of the 17*th.* of *January* 1645. as concerneth the raiſing, maintaining, and ordering of Horſes, and power of making Searches (a Copy whereof is hereunto annexed) whereby the Committee of the Militia of *London*, and Pariſhes mentioned in the Weekly Bills of Mortality, may be the better enabled to ſuppreſs all tumultuous Aſſemblies, and to prevent any dangers that may happen to the Parliament and City. 22 *Caroli* I.

And as this City, from the beginning of theſe Troubles, have faithfully adhered to the Parliament, ſo we are reſolved by the Bleſſing of God, never to deſert the ſame, but with the utmoſt of our Lives and Eſtates will ſtand and fall, live and die with the Parliament of *England*, according to our *Covenant*.

And the Petitioners ſhall pray, &c.

The Houſe debated this Petition, and voted, That an Ordinance be brought in on *Thurſday* Morning next, according to the deſires of the Petitioners, and it is referred to Mr. Recorder, Mr. *Grimſtone*, Mr. *Gott*, and Mr. *Hill*, or any two of them, to prepare and bring in this Ordinance accordingly; and care of the buſineſs is more particularly referred to Mr. *Gott*. The Petitioners were again called in, and Mr. Speaker, by the command of the Houſe, expreſſed to them the true ſenſe that Houſe had of their conſtant good Affections for this Parliament, and that no alteration whatſoever can work any change in their Duty and Love; for which he is to give them the heartieſt Thanks from this Houſe. *Ordinance to that effect.*

That he was further commanded to take notice of the Lord-Mayor's, and the Committee of Militia's, ready compliance with the Order of that Houſe in ſo ſeaſonable ſending down a very good Guard, for which he was likewiſe to return Thanks to the Lord-Mayor, and the Committee of the Militia, who are very ſenſible of the tumultuous and diſtempered Humours that are now ſtirred; and therefore doubts not but of themſelves (to whom they do refer it) they will take care that ſuch convenient Guards may be appointed to attend the Houſes, as may preſerve them from any diſturbance or interruption in their Counſels: As to the requeſt of the Petitioners, touching an Ordinance to the Purpoſes therein mentioned, they have done ſomething in it, and have put it into a way for further conſideration at their meeting. *Thanks returned to the City, for ſending a good Guard to the Parliament.*

This Day the Declaration paſſed both Houſes for making void the former Declaration of the 30*th.* of *March*, concerning the Army, which take at large as follows.

Die Martis 8. Junii 1647.

A Declaration of the Lords and Commons aſſembled in Parliament, for making void a former Declaration *of the* 30*th. of* March *concerning the Army.*

WHereas the Lords and Commons did, by a Declaration of the 30*th* of *March* laſt, declare their ſenſe upon a Petition, with the repreſentation thereunto annexed: And *whereas* they have been ſince informed, That the Petitioners intended not thereby to give any offence to the Parliament; and calling to mind the great and eminent Service done by the Army to the Parliament and Kingdom, the Lords and Commons being tender of the Honour of the ſaid Army, have thought fit to Ordain and Declare, and be it declared and ordained by the ſaid Lords and Commons in the Parliament of *England* aſſembled, and by the Authority of the ſame, That the ſaid former Declaration of the 30*th. of March*, be razed and expunged out of the Books of the ſaid Houſes, and wholly taken away and made void; June 8.

An. 1647.

void; and that no Member of the ſaid Army ſhall receive any Damage, Prejudice, or Reproach for any thing in the ſaid former Declaration.

Ordered by the Commons aſſembled in Parliament, that this Declaration be forthwith Printed and Publiſhed.

For Recreation of Scholars, Apprentices and Servants.

The Houſes this Day paſſed an Ordinance for Recreation of Scholars, Apprentices, and Servants; which take at large as follows.

Die Martis Junii 8. 1647.

Feſtivals called Holy-Days be no longer obſerved. June 8.

FOraſmuch as the Feaſts of the *Nativity of Chriſt*, *Eaſter*, and *Whitſontide*, and other Feſtivals *commonly called Holy Days*, have been heretofore ſuperſtitiouſly uſed and obſerved, Be it ordained by the Lords and Commons in Parliament aſſembled, That the ſaid Feaſts of the *Nativity of Chriſt*, *Eaſter*, and *Whitſontide*, and all other Feſtival-Days, commonly called Holy-Days, *be no longer obſerved* as Feſtivals or Holy-Days within this Kingdom of *England*, and Dominion of *Wales*, any Law, Statute, Cuſtom, or Canon to the contrary in any wiſe notwithſtanding: And to the end that there may be a convenient time alotted to Scholars, Apprentices, and other Servants, for their Recreation, Be it ordained by the Authority aforeſaid, That all Scholars, Apprentices, and other Servants, ſhall, with the leave and approbation of their Maſters reſpectively firſt had and obtained, have ſuch convenient reaſonable Recreation and relaxation from their conſtant and ordinary Labours, on every ſecond *Tueſday* in the Month throughout the Year, as formerly they uſed to have on ſuch aforeſaid Feſtivals commonly called Holy-Days. And that Maſters of all Scholars, Apprentices, and Servants ſhall grant unto them reſpectively ſuch time for their Recreations, on the aforeſaid ſecond *Tueſday* in every Month, as they may conveniently ſpare from their extraordinary and neceſſary Services and Occaſions. And it is further Ordained by the ſaid Lords and Commons, that if any difference ſhall ariſe between any Maſter and Servant concerning the Liberty hereby granted, the *next* Juſtice of the Peace ſhall have Power to order and reconcile the ſame.

Ordinance of Recreation.

Ordered by the Lords aſſembled in Parliament, That this Ordinance be forthwith Printed and Publiſhed.

Reformado Officers and Soldiers addreſs for Arrears.

A ſtrange Addreſs was made to the Houſe of Commons by Reformado's and common Soldiers within the Line, who block'd up the Houſe of Commons Door about two Hours, refuſing to let any Member paſs until the Houſe had granted them all their Arrears.

They ordered their Accounts to be audited by Auditor *Wilcox*, Auditor *Board*, and another.

Moneys ordered for them.

That 10000 *l.* more ſhall be added to the former 10000 *l.* to be advanced upon the ſame Security of the Moiety of the Compoſitions at *Goldſmiths-Hall*.

States Ambaſſador.

The Houſe ordered that ſeveral Members of the Houſe be ſent to the States Ambaſſador, and to excuſe all Miſtakes, or what elſe, at his going away, and to deſire the unity and affection of the two Nations.

That 300 *l.* was to be paid out of the Revenue, to defray the Charges of the Commiſſioners that are to go down to the Army.

Mr. Thomas Goodwyn.

That Mr. *Thomas Goodwyn* be deſired to go down to preach before the Commiſſioners.

A Guard for the Parliament.

That the Militia be deſired to ſend down a Regiment to attend the Houſe to Morrow.

That

That 10000 *l.* ſhould be paid out of *Weavers-Hall* to the Committee of *Ireland*, to be diſpoſed as that Committee ſhall think fit, for the payment of the Forces in *Ireland*. 22 *Caroli* I. Ireland.

That the Forces Quartered at *Newport-Pagnel*, *Everſham*, and *Cambden*, that have deſerted the Army, be Quartered at *Worceſter*.

June 10. 1647. This Morning at a Council of War it was judged inconvenient, and ſcarce poſſible, to draw to morrow early enough to diſpatch any thing; therefore it is appointed on *Thurſday* Morning at Nine of the Clock; and in regard of His Majeſty's going to *Newmarket*; it was thought fit by the Council of War, that the place of Rendezvous might be altered from *Newmarket-Heath* to *Triploe-Heath*, five Miles from *Cambridge*. And this in brief was the ſubſtance of the Intelligence.

There came Letters alſo this Day to the Houſe, from the Commiſſioners with the King; and alſo a Narrative of the Paſſages betwixt His Majeſty and his Excellency Sir *Thomas Fairfax*, and the Commiſſioners, *June* 7. at *Childerley*; the ſum whereof briefly thus, *viz.* *Paſſages between the King & the General, and his Officers.*

THe General, Lieutenant General *Cromwel*, Commiſſary General *Ireton*, Lieutenant General *Hammond*, and divers other Officers of the Army, went to the Lady *Cary's* Houſe (according to His Majeſty's deſire, being *June* 7.) When they came there the King went into the Garden, and the General and his Officers and Commiſſioners, went together, and conferred upon the whole carriage of the buſineſs. The Commiſſioners ſeem'd to be much unſatisfied: Whereupon the King coming up again, the General and the Commiſſioners came to him, and alſo Cornet *Joyce* (who was the Man that managed that Action of ſecuring the King,) was called before them all; the King charged them all, ſaying, 'That *Joyce* ſaid he had the Commiſſion of 'the whole Army for what he did, and by conſequence had the General's; 'he being the principal part of the Army. The Cornet replied, and did avow, 'That he told His Majeſty that he had not the General's Commiſſion, 'when the King did particularly demand of him: Whereupon the King publickly ſaid to the whole Company, 'That it was true indeed, he did ſay ſo; 'and it was likewiſe true, all the Gentlemen that were mounted on Horſe-'back did cry out, giving their approbation to what he had ſaid; but, ſaith 'the King, I was notwithſtanding perſwaded, that he could not venture to 'attempt ſuch a thing as to bring me away, for it was Treaſon, but that 'he had the countenance of greater Perſons. Then it was much preſſed by ſome of the Commiſſioners againſt Cornet *Joyce*, that he deſerv'd to loſe his Head for what he had done in bringing the King and the Commiſſioners away, without their conſent. Whereupon Cornet *Joyce* replied, 'May it 'pleaſe your Majeſty, As to the Armies warranting my Proceedings, let it 'be drawn to a Rendezvous, let me appear there before them, and let the 'Queſtion be put, whether they approve of my Action in removing His 'Majeſty from *Holmby*, if three or four Parts of the Army do not approve 'what I have ſaid, I will be content to be hanged at the Head of the Army. He further added, 'That the King gave His conſent to come, and ſaid, 'He would go whether the Commiſſioners would or no. Yea, ſaid the King and the Commiſſioners, 'You told us, that we ſhould go, and it was 'in vain for us not to conſent. But, ſaid the King, (*Joyce*, though it be 'great Treaſon in what you have done) yet I will pardon it now I am 'come: I had the promiſe of thoſe Gentlemen to be conveyed to *Newmar-'ket*, and therefore I expect to go to Morrow to *Newmarket*. Whereupon, after ſome other Diſcourſe, the General promiſed he ſhould go. Upon which, His Majeſty prepared for *Newmarket*, and the General went to *Cambridge*: And accordingly after His Excellency came back to *Cambridge*, he ſent Colonel *Whalley* (after ſome debate with the Officers) to guard His Majeſty and the Commiſſioners to *Newmarket*; and accordingly, His Majeſty (*June* 8.) went from *Childerley*, but not through *Cambridge*, but by *Trumpington*.

Cornet Joyce *before the King.*

Paſſages between the King and Cornet Joyce.

The King goes to Newmarket.

The General to Cambridge.

An. 1647.

pington. For ſome reaſons there was much preparations for His Majeſty, by ſtrewing the Streets, cuting down of Boughs, and preparing for Bonfires.

The Rendezvous of the Army is appointed to be this Day at *Triploe-Heath*, and not at *Newmarket-Heath*, by reaſon of the King's being there.

The Faſt kept.

Wedneſday June 9. 1647. This Day both the Lords and Commons kept a ſolemn Faſt in their Houſes, and appointed Mr. *Arrow-Smith*, Mr. *Palmer*, Mr. *Vines*, and Mr. *Herle*, to Pray and Preach in the Houſe of Peers, and Mr. *Marſhal*, Mr. *Whitaker*, and Mr. *Strong*, in the Houſe of Commons.

City Petition to the Lords.

Thurſday, being *June* 10. 1647. The Common-Council of *London* preſented their Petition to the Lords, the ſame they did *Tueſday* before to the Commons, and had Thanks. And their Lordſhips ordered to take it into ſpeedy Conſideration, not doubting but that would be done, which will give Satisfaction. Their Lordſhips choſe a Committee of Lords to conſider of all the Grievances of this Kingdom, and preſent them to the Houſe.

A Conference for Arrears to Officers in the Earl of Eſſex's *Time.*

The Lords ordered to deſire a Conference with the Commons, to conſider of a way for the payment of ſuch Officers as have ſerved the Parliament formerly, when the Earl of *Eſſex* was General; and that have ſince freely and willingly disbanded, upon the Orders of the Houſe, without care taken for their Arrears; for want whereof divers Officers have periſhed, not having ſufficient ſubſiſtance.

Country Committees.

Their Lordſhips alſo ordered to put the Commons in mind of a former Meſſage for the putting down of Country Committees.

Self-denying Ordinance maintained.

The Houſe alſo this Day reaſſumed the Debate of the Self-denying Ordinance, and paſſed ſeveral Votes, to this purpoſe, *viz.*

That *Firſt*, ſuch Members as having any Office, Place, or Sequeſtration granted to them by one or both Houſes of Parliament, to be void.

Self-denying Members to refund.

Secondly, That the benefit ſuch Members have received, the ſame being the firſt Vote for this Self-denying Ordinance be paid into the Chamber of *London*, and diſpoſed as both Houſes ſhall appoint, for the uſe of the Common-wealth.

That ſuch Members be referred to the Committee of Accounts, to account for what benefit they have received.

That the Lands and other Eſtates of all Members of the Houſe, be liable to the Law for payment of Debts.

That all Petitions and Informations that ſhall be preferred againſt Members of the Houſe, for any cauſe whatſoever, be ready on *Tueſday* next.

They to receive no Reparation till Publick Debts be ſatisfied.

That no Member ſhall hereafter receive any reparation for Damages by theſe Times, till the publick Debts of the Kingdom be ſatisfied.

Another Letter of the General's, of His Majeſty's going to Newmarket, which is the ſame in effect as before.

This Day another Letter from his Excellency Sir *Thomas Fairfax*, dated from *Cambridge*, *June* 8. was read, the purport is as follows, *viz.*

Mr. Speaker,

IN my laſt I promiſed to ſend you by the next, an Account of the Proceedings and Reſolutions of the Army at the late Rendezvous. I have ſent you the ſame in two Papers, unanimouſly agreed upon there by both Officers and Soldiers. I find in one of them divers things with your later Proceedings, ſince the reſolution of Diſbanding, may have given ſatisfaction unto. But the Army having then no knowledge thereof, it was thus paſſed, and delivered to me, and I cannot but ſend it to them.

22 Carol. I.

them: You may ſee what they then did remain unſatisfied in. Underſtanding that His Majeſty, and your Commiſſioners were much ſtraitened and diſcommoded in the Houſe at Childerſey, *I went thither Yeſterday to adviſe with your Commiſſioners about the diſpoſal of His Majeſty, for more conveniency to himſelf and them, than that Place did afford: The Commiſſioners were pleaſed wholly to refuſe giving of any Advice or Opinion at all in the buſineſs; and therefore the King declaring His Reſolution not to go back to* Holmby, *unleſs he were forced; yet complaining much of the inconveniency he ſuffered where he was, and preſſing for a remove to* Newmarket, *and your Commiſſioners not judging it inconvenient for him to be there, I ordered Colonel* Whalley *this Day to attend His Majeſty and the Commiſſioners thither with a truſty and ſufficient Guard of two Regiments of Horſe, which accordingly was this Day done, and His Majeſty, with the Commiſſioners, gone to* Newmarket, *but not through* Cambridge. *This buſineſs taking up the whole time Yeſterday, and it being neceſſary His Majeſty ſhould be diſpoſed of before the place of Rendezvous could well be reſolved on, this Morning, at a Council of War, it was judged inconvenient, and ſcarce poſſible to draw to a Rendezvous to Morrow, early enough to diſpatch any thing; therefore it is appointed on* Thurſday *Morning at Nine of the Clock; and in regard of His Majeſty's going to* Newmarket, *it was thought fit by the Council of War, that the place of Rendezvous might be altered from* Newmarket Heath *to* Triploe-Heath, *five Miles from this Town. I ſhall take care that your Commiſſioners, if they come to* Newmarket, *may have notice of this alteration from the former appointment. I remain*

Cambridge, June 8. 1647.

Your moſt humble Servant,

T. Fairfax.

For the Honourable Will. Lenthall, *Eſq; Speaker of the Houſe of Commons.*

The Commons had ſome Debate about joining with the Lords in removing His Majeſty to *Oatlands*, and it was reſolved in the Negative. *Oatlands.*

A fuller or additional Act of Indemnity was paſt for the Soldiers of the Army, to ſave them harmleſs, by an Act of Oblivion and Pardon, for all things done in the time of this War. *Indemnity to Soldiers.*

The Lords this Day received ſome *Scotch* Papers about the Earl of *Dumferling's* deſiring leave to go into *France*; to which their Lordſhips concurred. *Earl of* Dumferling.

The Lords ordered, That the Committee at *Derby-Houſe* do take care to ſecure the Houſes of Parliament; and the Lieutenant of the *Tower* to be careful who he lets paſs to the Priſoners. *A Guard for the Parliament.*

Ordered (upon the Queſtion) by the Commons aſſembled in Parliament, That no Perſon that hath been in actual War againſt the Parliament, or hath acted by the Commiſſion of Array, or voluntarily, either directly or indirectly aided the King in this War againſt the Parliament, ſhall preſume to ſit in this Houſe. *No Member aing the King, &c. to ſit in the Houſe.*

Reſolved, *&c.*

That this Vote concerning Members, and the former Vote concerning Members to be elected of *Primo Septemb.* 1645. be forthwith printed together, and ſent into the ſeveral Counties. *The Votes for Members elected Sep. 1. 1645. to be Printed and ſent into ſeveral Counties*

Ordered, by the Commons aſſembled in Parliament, That theſe Orders be forthwith Printed and Publiſhed.

Royſton, June 10. 1647. This Day Captain *Hall*, Capt. of the Life-Guard to the General, and Mr. *Richard Ward*, Mr. *Francis Hart*, Mr. *John Hodges*, Mr. *Arthur Bury*, Mr. *James Gouge*, Mr. *Joſeph Garrat*, Mr. *John Philips*, Mr. *Peter Blind*, and Mr. *Richard Goddard* (all of the Life-Guard) deſerted the Troop, and received Paſſes for *London*. *Some of the Life-Guard deſert the Troop.*

The

An. 1647.

Counties of Norfolk *and* Suffolk *againſt Diſbanding.*

The ſame Day another Petition from many of the Inhabitants of *Norfolk* and *Suffolk*, was preſented to the General at *Royſton*, deſiring him not to diſband until the general Grievances be redreſt, and Juſtice done, *&c.* The Army advanced this Day nearer *London*, the Head-Quarters to be at St. *Albans*.

Die Veneris 11. *June*, 1647.

Ordinance paſſed for the Militia to raiſe Horſe.

An Ordinance of the Lords and Commons aſſembled in Parliament, for the enabling of the Committee of the Militia *of the City of* London, *to make Searches and raiſe Horſes.*

The Ordinance follows here.

THE Lords and Commons aſſembled in Parliament, do hereby declare and ordain, That the Committee of the Militia of *London* ſhall have Power, and are hereby authorized by themſelves, or ſuch as they ſhall appoint, to ſearch all Houſes and Places within the Lines of Communication, and Pariſhes mentioned within the Weekly Bills of Mortality, and Hamlets of the *Tower*, where the ſaid Committee ſhall have cauſe to ſuſpect, that any Papiſts are, or other Perſons, who cannot give a good account of their Buſineſs or Abode within the Limits aforeſaid; or who have, or ſhall diſcover their ill Affection to the Parliament, by any Offence for which they ought to be Sequeſtred or Puniſhed by any Ordinance of Parliament; and likewiſe to ſearch for Arms, Ammunition, and Materials for War, in the Cuſtody of ſuch Perſons, and to ſeize and take away the ſame; and to commit ſuch Perſons to ſafe Cuſtody, or to expel them out of the Limits aforeſaid, if they ſhall ſee cauſe: And in caſe of Reſiſtance to command any Conſtable or Conſtables to break open any Houſe or Place within the ſaid Limits, where any reſiſtance ſhall be made. And it is further declared and ordained, That the ſaid Committee ſhall hereby have Power and Authority to charge ſuch Inhabitants who are conſtantly dwelling within the Lines of Communication, and Pariſhes mentioned in the Weekly Bills of Mortality, and Hamlets of the *Tower*, or ſuch Perſons who have any Stocks going in Trade within the Limits aforeſaid, and abſent themſelves (as ſhall appear to them to be able) to find and maintain Horſes, with Riders, and Furniture, at their proper Charge, for the defence of the City and Parts adjacent (ſo as no Perſon ſhall be charged for the raiſing and maintaining more than two Horſes) to be put under ſuch Commanders and Officers as the ſaid Committee ſhall think fit. And if any Perſon or Perſons, who ſhall be charged to find Horſes, Riders, and Furniture, as is aforeſaid, and ſhall refuſe or neglect to provide the ſame, within three Days after notice thereof given to them, or left in Writing at their Dwellings, ſhall forfeit and pay 20 *l.* And if they ſhall neglect or refuſe to ſend forth their Horſe or Horſes, with Riders, provided and furniſhed as is aforeſaid, when, and as often as he or they ſhall be ſummoned thereunto by the ſaid Committee, or ſuch Commanders or Officers as they ſhall appoint, in default thereof, that then they ſhall forfeit and pay 10 *l.* for every ſuch failing, or ſuffer four Days Impriſonment, without Bail or Mainpriſe, to be inflicted upon every ſuch Offender, in ſuch Manner and Form, and by ſuch Officers and Perſons as are appointed for the inflicting of Penalties upon failing of the Foot Soldiers of the Trained-Bands expreſſed in an Ordinance dated the ſecond Day of *May*, *Anno Dom.* 1643. and the ſaid Fines to be employed by the ſaid Committee toward the payment of the Commanders and Officers of the ſaid Horſe, and for ſuch other Uſes as the ſaid Committee ſhall find neceſſary for the better carrying on the ſaid Service. And be it hereby further declared and ordained, that for the better executing this preſent Ordinance, and ſuch former Ordinances, which are now in force concerning the Militia of the City of *London*, and the Places aforeſaid, Power and Authority be hereby given to the ſaid Committee, to make one or more Sub Committee, or Sub Committees, within the ſaid Limits as they ſhall think fit, for the executing this, and the ſaid former Ordinances. And all Conſtables, Headboroughs, and other inferiour Officers within the ſaid Limits; and all Commanders

manders and Soldiers of the ſaid Militia are hereby required to obey and execute ſuch Warrants as they from time to time ſhall receive from the ſaid Committee, or Sub-Committees, for and concerning the execution of the ſame accordingly. 22 *Caroli* I.

And laſtly, That no priviledged Place or Perſon, within the Limits afore ſaid ſhall be exempted from the Power of this Ordinance, except the Peers of this Realm, and the Members of the Houſe of Commons, and Aſſiſtants of the Houſe of Peers, and Officers and Attendants of both Houſes of Parliament reſpectively, who ſhall be exempted from this Ordinance, and all things therein contained, Provided that this Ordinance ſhall continue for a Month, and no longer.

John Browne, Cler. Parl.

Die Veneris 11 *June*, 1647.

ORdered by the Lords and Commons aſſembled in Parliament, That the Exciſe of Fleſh be taken off, from and after the 24*th*. Day of this Inſtant *June*, and that from and after the ſaid Day the ſaid Exciſe ceaſe and be no longer paid. June 11. *Exciſe of Fleſh taken off.*

John Browne, Cler. Parl.

Die Veneris 11. *June* 1647.

ORdered by the Lords and Commons aſſembled in Parliament, That the Exciſe of Salt made in this Kingdom be taken off, from and after the 24*th* Day of this Inſtant *June*; and that from and after the ſaid Day the ſaid Exciſe ceaſe and be no more paid. *Exciſe Salt taken off.*

John Browne, Cler. Parliamentorum.

The Houſe this Day ordered, that a Committee of both Houſes ſhould be appointed to join with the Committee of the Militia of *London*, to adviſe and conſult concerning the arming of all (within the City of *London*, *Weſtminſter*, and Lines of Communication, for the ſafety of the Parliament and City) as there ſhall be occaſion. *A Committee of Lords and Commons to joint with the Militia in the arming all Perſons within the Line of Communication.*

The Houſe was informed, that divers Gentlemen were at the Door, to give Intelligence to the Houſe of ſome things concerning the Army, they were called in; and their Names were Colonel *Sands*, Colonel *Wiltſhire*, Colonel *Devereux*, and others, and acquainting the Houſe, that meeting with a Major, that lately came from the Army, he acquainted them, that the Army was upon their Advance, and the Horſe at leaſt-wiſe would be here to Morrow at Twelve a Clock; and told them, that if they would go to Morrow to the Army they ſhould be included in the Capitulation with the Army for their Arrears. Hereupon they ordered, that this Major be ſent for in ſafe Cuſtody. *Information of the Armies advance.*

The Committee of Safety was ordered to be revived, and act this Night for the ſafety of the Kingdom. *The Committee of Safety revived.*

The Sheriffs and Common-Council this Evening came down to the Houſe, and acquainted them with a Letter ſent from the Army to them.

The Houſe debated hereupon, and a Committee of both Houſes were ordered to go down to the Militia of *London* about the ſame, which they did accordingly, and ſate with the Militia in debate hereof all this Night till Morning. The Houſe of Commons likewiſe ſate very late this Night upon the buſineſs of the Army; and it was ordered, That Letters be ſent to His Excellency from both Houſes, to deſire that the Army might not come within Twenty five Miles of the City. *A Committee of Parliament ſate with the Committee of the Militia all Night.*

An. 1647.

To the Right Honourable the Lord-Mayor, Aldermen, and Common-Council of the City of London.

The General's Letter to the Lord-Mayor.

Right Honourable and Worthy Friends,

HAving by our Letters, and other Addresses, presented by our General to the Honourable House of Commons, endeavoured to give satisfaction of the clearness of our just Demands: And also in Papers published by us, remonstrated the Grounds of our Proceedings in prosecution whereof: All which having been exposed to publick view, we are confident have come to your hands, and at least received a Charitable Construction from you: The sum of all which our Desires, as Soldiers, are no other, than a desire of satisfaction to our Demands, as Soldiers; and reparation upon those who have, to the utmost, improved all opportunities and advantages, by false Suggestions, Misrepresentations, and otherwise, for the destruction of this Army, with a perpetual blot of Ignominy upon it, which we should not value, if it singly concerned our own Particulars, being ready to deny our selves in this, as we have done in other Cases for the Kingdoms good; but under this pretence finding no less involved in it, than the overthrow of the Priviledges both of Paliament and People, wherein rather than they shall fail in their Designs, or we not receive in the Eyes of all good Men what is just, endeavoureth to engage the Kingdom in a new War, and this singly, by those who when the truth of these things shall be made to appear, will be found the Authors of these Evils that are feared, as having no other way to protect themselves from Question and Punishment, but by putting the Kingdom into Blood, under pretences of the Honour of, and their Love to the Parliament; as if that were dearer to them than us; or as if they had given greater Proof of their Faithfulness to it than we. But we perceive, that under these Veils and Pretences they seek to interest their design in the City of London, *as if that City ought to make good their Miscarriages, and should prefer a few self-seeking Men before the welfare of the Publick; and indeed we have found these Men so active to accomplish their Designs, and to have such apt Instruments for their turn in that City, that we have cause to suspect they may engage many therein, upon Mistakes, which are easily swallowed in times of such prejudice against them, that have given (we may speak it without Vanity) the most publick Testimony of their good Affections to the Publick, and to that City in particular.*

For the thing we insist upon as Englishmen, *and surely our being Soldiers hath not stript us of that Interest, although our malicious Enemies would have it so: We desire a Settlement of the Peace of the Kingdom, and of the Liberties of the Subject, according to the Votes and Declarations of Parliament, which, before we took up Arms, were (by the Parliament) used as Arguments and Inducements to invite us, and divers of our dear Friends out; some of which have lost their Lives in this War; which being by God's Blessing finished, we think we have as much right to demand, and desire to see a happy Settlement, as we have to our Money, and the other common Interest of Soldiers, which we have insisted upon. We find also the ingenious and honest People in almost all the Parts of the Kingdom where we come full of the sence of Ruine and Misery, if the Army should be disbanded, before the Peace of the Kingdom, and those other things before mentioned have a full and perfect Settlement.*

We have said before, and profess it now, We desire no alteration of the Civil Government.

We desire not to intermeddle with, or in the least to interrupt the settling of the Presbyterial Government. Nor do we seek to open a way to licentious Liberty, under pretence of obtaining ease for tender Consciences. We profess as ever in these things, when the State have once made a Settlement, we have nothing to say but to submit or suffer; only we could wish, that every good Citizen, and every Man that walks peaceably in a blameless Conversateon, and is beneficial to the Commonwealth, may have Liberty and Encouragement; it being according to the just Policy of all States, even to Justice it self.

These, in brief, are our Desires, and the things for which we stand, beyond which we shall not go; and for the obtaining of these things we are drawing near your City; professing sincerely from our Hearts, we intend not evil towards you, declaring with all Confidence and Assurance, that if you appear not against us in these our just desires, to assist that wicked Party, that would embroil us and the Kingdom, nor we, nor our Soldiers shall give you the least Offence: We come not to do any act

to

22 Caroli 1

to prejudice the being of Parliaments, or to the hurt of this, in order to the preſent Settlement of the Kingdom; We ſeek the good of all, and we ſhall here wait or remove to a farther diſtance, there to abide, if once we be aſſured that a ſpeedy ſettlement of things be in hand, until they be accompliſhed; which done, we ſhall be moſt ready, either all of us, or ſo many of the Army as the Parliament ſhall think fit, to Disband, or go for Ireland; *and although you may ſuppoſe that a rich City may ſeem an inticing Bait to poor hungry Soldiers to venture far to gain the Wealth thereof, yet, if not provoked by you, we do profeſs rather than any ſuch evil ſhould fall out, the Soldiers ſhall make their way through our Blood to effect it; and we can ſay this for moſt of them, for your better aſſurance, that they ſo little value their Pay, in compariſon of higher Concernments to a publick Good, that rather than they will be unrighted in the matter of their Honeſty and Integrity, which hath ſuffered by the Men they aim at, and deſire Juſtice upon, or want the ſettlement of the Kingdom's Peace, and theirs, with their Fellow Subjects Liberties, they will loſe all; which may be a ſtrong aſſurance to you, that it's not your Wealth they ſeek, but the things tending in common to your and their Welfare, that they may attain: You ſhall do like Fellow-Subjects and Brethren, if that you ſollicite the Parliament for them on their behalf.*

If after all this, you, or a conſiderable part of you, be ſeduced to take up Arms in oppoſition to, or hindrance of theſe our juſt Undertakings, we hope, by this Brotherly Premonition, to the ſincerity whereof we call God to Witneſs, we have freed our ſelves from all that ruin which may befal that great and populous City, having thereby waſhed our hands thereof. We reſt,

Your affectionate Friends to ſerve you,

Royſton, June 10. 1647.

Tho. Fairfax.
Oliv. Cromwel.
Rob. Hammond.
Tho. Hammonnd.
Hardreſs Waller.
Nath. Rich.
Tho. Pride.
Fra. Ireton.
Rob. Lilburne.
John Desborow.
Th. Rainsborow.
Lambert.
Harriſon.

The Houſe of Commons ſate very late this Night upon the buſineſs of the Army; and it was ordered, that Letters be ſent to his Excellency from both Houſes, to deſire that the Army might not come within Twenty five Miles of the City.

That the Army advance not within 25 Miles of London.

Die Veneris 11 *June*, 1647.

ORdered by the Lords and Commons aſſembled in Parliament, That all ſuch Officers or Soldiers, as ſhall come off, and conform to the Votes ſent down to the Army, ſhall receive the benefit and advantage of thoſe Votes.

John Brown, Cler. Parliamentorum.

Die Veneris, June 11. 1647.

ORdered by the Lords and Commons aſſembled in Parliament, That the Sum of 10000 *l.* be paid upon Accompt, by Alderman *Bunce*, and the reſt of the Treaſurers at *Weaver's Hall*, to ſuch Perſon or Perſons as the Committee for the Affairs of *Ireland* at *Derby-Houſe*, and the Committee of the Army, joined as to this buſineſs, or any Six of them, ſhall appoint to receive the ſame, and iſſued by Order and Direction of the ſaid Committee ſo joined, or any Six of them, for the payment of ſuch Officers or Soldiers as ſhall come off from the Army, according to the Votes ſent laſt to the Army, touching ſuch as disband or engage for the Service of *Ireland*, being ſuch of the Army as were muſtered the laſt Muſter, before the Votes paſſed both Houſes for disbanding; and that the Acquittance of the Perſon or Perſons appointed, by the Committee ſo joined as aforeſaid or any Six of them, to receive the ſaid 10000 *l.* ſhall be a ſufficient diſcharge to the ſaid Treaſurers at *Weaver's-Hall*, for the payment of the ſaid Sum of 10000 *l.* accordingly.

Reward to Soldiers coming off from the Army.

John Brown, Cler. Parliamentorum.

An. 1647.

The Army kept a Faſt at Cambridge.

From the Army we had further Intelligence, by Letters, to this purpoſe, *viz.*

Wedneſday laſt there was a Faſt kept in St. *Mary*'s in *Cambridge*, to deſire a Bleſſing upon the preſent Affairs of the Kingdom. There preached before his Excellency Dr. *Hill*, Mr. *Saltmarſh*, Mr. *Peters*, and Mr. *Seaman*; Providence ſo ordered it, that they all pitched upon one point, *The Reconciliation of things in Love:* They performed their Duties with much Zeal and Affection. The Commiſſioners came that Evening to *Cambridge*, the General went and waited on them; they communicated to him and his Officers the Votes of both Houſes, deſiring his Advice for the communicating of them to the Army.

The Army drawing to a Rendezvous.

Thurſday Morning the General and his Officers met, and agreed upon the Way; and accordingly that Afternoon, the Army being drawn up to a Rendezvous, upon a plain Ground within Four Miles of *Royſton*, the Commiſſioners and the General firſt riding round the Army, which indeed was a very gallant Body both of Horſe and Foot; yet there were Five Regiments of Foot, and 1400 Horſe abſent: They began firſt with the General's Regiment of Horſe, to whom the Votes were read: Then Major General *Skippon* made a ſhort Speech to the Regiment, moving, that the Votes might take a deep Impreſſion upon them for the advantage of the Kingdom. Then an Officer of the Regiment returned this Anſwer, 'That the 'Regiment did deſire, that there might be an Anſwer returned, after 'the peruſal of the Votes, by ſome ſelect Officers and Agitators, 'whom the Regiment had choſen; and that it was the Motion of 'the Regiment.

The Votes read unto them.

Seleſt Officers return Anſwer.

The Officers deſired the General and the Commiſſioners to give leave to ask the whole Regiment, if this were their Anſwer? To which the whole Regiment cried, *All, All.*

A Queſtion propoſed.

Then he put the Queſtion, That if any Man were of a contrary Mind, they ſhould ſay No? and not one Man gave his No: The Agitators, on the behalf of the Soldiers, preſs'd to have the Queſtion put, Whether that Regiment did acquieſce, and were ſatisfied with the Votes? But in regard the other way was the more orderly, and they might after peruſal proceed more deliberately, the Queſtion was laid aſide; and indeed had it been put, it would not have received one Voice in the Affirmative, ſuch was the unanimity of the Officers and Soldiers in that Regiment. And this brief Account may ſerve for the ſeveral Regiments, Horſe, Foot, and Dragoons this Day at the Rendezvous. I forgot to tell you, That after the Commiſſioners had done reading the Votes, and ſpeaking to each Regiment, and received their Anſwer, the Regiment cried out, *Juſtice, Juſtice.*

Juſtice, Juſtice.

Officers and Soldiers who withdrew, refuſed to be accepted again.

One Paſſage there was amongſt the Dragoons, Some of the Officers who had deſerted the Army, made a pretence to go for *Ireland*, came to the Regiment, deſiring to be received again; but the Regiment adviſed them to withdraw from off the Field, otherwiſe they would diſgrace them in the face of the whole Army.

This Night the Head-Quarters are at *Royſton*.

Eſſex Petition not to diſband till, &c.

This Day in the Field there was a Petition delivered to the General, in the Name of many well-affected People in the County of *Eſſex*, which you may ſee at large in *June* Five and Six. In brief, the purport is, 'That in regard of the preſent unſettled Condition 'of the Kingdom, and the deſign of many to deprive the Subject of 'their Liberty, they would not conſent to the Diſbanding of the 'Army, nor any part thereof, till there were a general Settlement of 'things in the Kingdom.

Satur.

22 Caroli I.

On pain of Death Trained-Bands to their Arms.

Saturday, June 12. 1647. Upon the Rumour of the Armies near approach to the City, the Militia of *London* ordered all the Trained-Bands to be raiſed on pain of Death; but upon a further Underſtanding they were all diſmiſſed again, only ſtrong Guards ſet about the Line.

An Order likewiſe was for all within the City to ſhut up their Shops, which ſome did for a time, but opened them again, and all things continued very peaceably in the City. And this Day the Common-Council of *London* came to a Reſolution to ſend a Letter to the General and Officers of the Army in anſwer to theirs, with the Houſes approbation; and alſo to ſend down ſome of their Members to treat with the General and Officers, that a right Underſtanding, and a fair Correſpondence may be between the City and the Army.

A Committee ſent from the City to the Army for a right underſtanding.

The Names of thoſe ſent to the Army from the City, are included in the Order of the Common-Council, which follows the Letter now to be mentioned, *viz.*

To His Excellency Sir Thomas Fairfax, *Knight, General of the Forces raiſed by the Parliament, and the reſt of the Worthy Commanders.*

Right Honourable and Worthy Commanders,

The Anſwer of the Lord-Mayor &c. to the General, &c. June 12. 1647.

YOur Letter dated at Royſton, *the* 10th. *of this Inſtant* June, *We, the Mayor, Aldermen, and Commons in Common-Council aſſembled, have ſeriouſly peruſed, and preſented a Copy thereof to each Houſe of Parliament; and for your and our farther Satisfaction, We have ſent a Committee of Aldermen and Commons, with this our Anſwer thereunto; and to prevent all miſunderſtanding betwixt that ſo well-deſerving Army and this City. We take notice by that Letter, of your drawing near this City with your Army, for the obtaining your Deſires as Soldiers, and as* Engliſhmen; *and of what you do, and do not intend thereby; more eſpecially, that you come not to do any Act to prejudice the being of Parliaments, or to the hurt of this, in order to the preſent Settlement of the Kingdom; and of your declaration, 'That if we appear not againſt you in thoſe your juſt Deſires, to aſſiſt 'thoſe that would embroil you and the Kingdom in a new War; that you intend 'no evil towards the City, nor that you or your Soldiers ſhall give it the leaſt 'Offence. But we deſire that in regard your Approaches may, contrary to your Intentions, be an occaſion to increaſe the Price of Victual, and to diſcontented Perſons to make ſome ill uſe thereof in raiſing of Tumults, That you will be pleaſed to take it into your further Conſideration, and in order to your own Reſolution concerning this City's ſafety, to forbear Quartering within Thirty Miles thereof, which we ſhall look upon as a ſpecial Evidence of the ſincerity of your Intentions expreſſed in your Letter. We cannot paſs by that Expreſſion of yours, to hazard your own Blood for our Preſervation; nor can we return you more real Thanks for it than this, to declare our Reſolutions, that the very thought of engaging this Kingdom in a new War we unanimouſly deteſt; and that we intend no evil to you, but only defend the Parliament and our ſelves againſt any unlawful Violence; for prevention whereof, leaſt it ſhould happen (though you never intended it) we have, by the direction of Parliament, and for our own ſafety, put our ſelves in a poſture of defence, but not with the leaſt Intention to do any prejudice to that Army, whom God hath made ſo eminent an Inſtrument of our Deliverance and Safety. And we do diſavow the raiſing of any Forces, or taking up of any Arms, in oppoſition to, or with intent to hinder the obtaining of your juſt Demands; yea, ſo far have we been, and ſhall be from that, that both before and ſince the receipt of your Letter, we have made our humble Addreſſes to the Parliament for the obtaining thereof, which we ſhall not fail to proſecute as occaſion ſhall preſent; only this requeſt we earneſtly make in the name of the City, that you will be careful when you deſcend into Particulars, to deſire no more than what ſhall be juſt and reaſonable, and in ſuch a way as may conſiſt with the Honour, Power, and Priviledge of Parliament, Liberty of the Subject, and the ſafety of the City and Kingdom; and we ſhall appeal to God, and to the preſent*

An. 1647. *preſent and future Generations to judge of your and our Performance, according to the ſeveral Engagements.*

London, July 12. 1647. By Command of the Mayor, Aldermen, and Commons of the City of *London*, in Common-Council aſſembled.

Mitchel.

June 12. *Die Sabbati, June* 12. 1647. The Houſe being informed, That divers Aldermen, and Citizens of the City of *London* were at the Door, they were called in, and Mr. Alderman *Fowke* acquainted the Houſe, 'That they were commanded by the Lord-Mayor, Aldermen, and Commons in Common-Council aſſembled, to preſent 'unto this Houſe their ſence, upon a matter of very great Importance; they having again conſidered of the General's Letter unto 'them, and have made an Anſwer to it, which they have thought 'fit to acquaint this Houſe with, and to deſire their approbation of 'ſending it to the Army.

The Aldermen and the Gentlemen of the City being withdrawn, the Letter was read.

Reſolved, *&c.*

That this Houſe doth approve of the Cities ſending this Letter to the Army in the way they propoſe.

The Aldermen and Citizens were again called in, and Mr. Speaker, by Command of the Houſe, acquainted them, That the Houſe had conſidered of their Deſires, and of the Letter preſented by them, and are very ſenſible of their good Affections to the Peace, and good of the Kingdom, and honour of the Parliament; for which he was commanded to give them Thanks.

H. Elſynge, Cler. Parl. d' Com.

Commune Concilium tenetum in Camera Guild-Hall, *Civitatis* London, *duodecimo die* Junii, 1647.

ACcording to an Order of this Court, made this Day, the Committee therein appointed, *viz.* Mr. Alderman *Warner*, Mr. Alderman *Fowke*, Mr. Alderman *Gibbs*, Mr. Alderman *Viner*, *Chriſtopher Packe*, Major, Chamberlain *Thomas Noel*, Colonel *Thomas Player*, Major *Hitchcocke*, *Robert Lowther*, *Richard Waring*, and *Walter Pell*, did preſent the draught of an Anſwer to the Letter received from His Excellency Sir *Thomas Fairfax*, and other Commanders of the Army, which was here openly read, and after Debate upon every particular Clauſe therein, the ſame was approved of by this Court. And thereupon it is ordered, That the ſaid Committee ſhall make their Addreſſes forthwith to both Houſes of Parliament, and acquaint them with the Common Councils Intention to ſend the ſaid Anſwer unto the ſaid Army, by the ſaid Committee, thereby to prevent all miſunderſtanding and further effuſion of Blood; and that they will vouchſafe to take into their ſpeedy and ſerious Conſideration the juſt deſires of the Army, and give ſuch fit Remedies thereunto, as in their Wiſdoms ſhall be thought fit. And this Court doth hereby give Power and Authority to the ſaid Committee to repair with all Expedition unto the Army, and preſent the ſaid Anſwer unto His Excellency, and to give and receive ſuch further ſatisfaction concerning the Matter contained in the ſaid Anſwer, as occaſion ſhall require, and to preſent the deſire of this Court, that His Excellency, and other the Commanders of the ſaid Army, will have a ſpecial care for the preſervation of His Majeſty's Royal Perſon, whilſt he remaineth with them.

Mitchel.

The

22 *Caroli* I.

The Parliaments Inſormation of the Armies advance.

The Houſe of Commons this Day read a Letter from their Commiſſioners in the Army, giving them an Account of their Proceedings, and the Armies advance near *London*, and ſent likewiſe incloſed Copies of the Three Petitions from *Eſſex*, &c. which is at large in *June* five and ſix; the *Suffolk* and the *Norfolk* being the twelfth, will be here at large: All preſented to the General not to disband the Army, till the general Grievances be redreſt; which Petitions were read in the Houſe, and laid aſide. The *Norfolk* Petition is as follows, *viz.*

To His Excellency Sir *Thomas Fairfax*, Knight, Captain General of the Parliament Forces.

The humble Petition of the peaceable and well-affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich, *earneſtly endeavouring after the Proſperity of the Parliament, and the Peace of the Kingdom.*

Sheweth,

June 12.

THat whereas your Excellency has been appointed Commander in Chief over theſe free Commons of *England*, that have been invited by the Parliament to ſtand up in defence of themſelves and Fellow-Subjects in time of imminent danger, againſt all Arbitrary Government, Tyranny, and Oppreſſion; and that the Parliament has, by divers Declarations, Remonſtrances, and Proteſtations, engaged themſelves both to God and the Kingdom, to endeavour to the utmoſt to maintain the ancient Government of this Kingdom, and to preſerve the Rights and Liberties of the Subjects, and to lay hold on the firſt opportunity of procuring a ſafe and well-grounded Peace; notwithſtanding all which, there is now an appearance of a moſt horrid deſign to ruine the native Liberties of the Subject, whereby Diſcontents are fomented in the Hearts of the People, and the Kingdom like to be divided into Factions, to the imminent danger of embroiling us yet again in Blood: And from the Policy of the Complotters of this deſign, we humbly conceive have already proceeded thoſe ſad Obſtructions of our free Addreſſes to the Parliament, in repreſenting our Grievances, and making humble Offers to their Wiſdom of juſt Remedies, which have impoſed this neceſſity upon us, humbly to implore

Your Excellency's Aſſiſtance to mediate with the Parliament in the behalf of us, and all the free Commons of *England*, for the ſpeedy and peaceable eſtabliſhment of thoſe our Native Liberties, which have now coſt the Kingdom ſuch vaſt Expence of Blood and Treaſure; That all Obſtructions that lay in the way to hinder the Addreſſes of the free Subjects of *England* to the Parliament, in repreſenting their Grievances, Fears, Doubts, and Jealouſies; as alſo offers of Remedy might be ſo ſpeedily removed, as that a firm Peace and Union might be yet again enjoyed in our diſtracted Kingdom, according to the Intentions of the Parliament frequently declared, Engagements of the Army, and the ardent Expectations of all the well-affected in the Kingdom.

And your Petitioners ſhall ever pray, &c.

This Petition was preſented to His Excellency at St. *Albans*, the 12*th* of *June* preſent, with the Subſcription of Fourteen hundred of the Inhabitants.

Theſe Petitions aforenamed were read in the Houſe, and laid aſide.

Intimation of a deſign to ſecure Newcaſtle *againſt the Parliament.*

A Letter from *Newcaſtle*, Signed *Jo. Coſens*, directed to Alderman *Adams*, and from him delivered to a Member of the Houſe of Commons, was this Day preſented to the Houſe and read, intimating, ſome deſign of a Party in the Town to ſecure that Town againſt the

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the preſent Government. The Houſe, upon Debate hereof, ordered to refer the Letter to a Committee of Safety; and that a Copy of this Letter ſhould be ſent to Field-Marſhal *Skippon*, now with the Army.

More Commiſſioners to go to the Army.

The Houſe further ordered, that Mr. *Scowen* and Mr. *Povey*, Commiſſioners for the Army, ſhould ſpeedily repair down to the Army. And in reſpect the deſires of the Army are not yet known particularly, or what they intend to inſiſt upon, the Houſe upon ſerious debate hereof have ordered to ſend down more Commiſſioners to them, and to enlarge their Inſtructions; and to that purpoſe they nominated Sir *Thomas Widrington*, and Colonel *White* to be Commiſſioners to go down to the Army.

To know particularly their deſires.

And an additional Inſtruction paſſed the Houſe, that the Commiſſioners in the Army ſhould uſe all the beſt ways and means they can to know of the Army, what their particular Deſires are, and what will give them ſatisfaction; and this Additional Inſtruction was ſent to the Lords, and they concurred therein.

An Order was made for fifty Barrels of Powder to be ſent to *Plimouth*, and fifty Barrels more to *Pendennis*.

Anſwer to the Army not advancing, to have a Months Pay.

Letters were this Day brought to the Houſe from the General, Sir *Thomas Fairfax*, one to the Lords, and another to the Commons, giving them to underſtand, that he had this Day received the Letters from both Houſes, concerning not advancing with his Army within forty Miles of *London*, but that the Army was advanced near St. *Alban's* before the receipt of that Letter, and doubted not but to give a good account of the reaſons of their advance thither, and deſired a Months Pay might be ſent down to pay the Army, that they might not be burthenſome to the Country, or take Free-Quarter, but there was nothing upon this Letter then done.

The Houſe ſate very late this Night, and had preſented them a Copy of the Letter to be ſent from the City to the General, and Officers of the Army, which they approved of and ſent to the Lords for their Concurrence; and after this Adjourned, and ordered to ſit to Morrow after Evening Sermon.

Lord's-Day, June 13. 1647. Sir *Thomas Widdrington* and Colonel *White*, according to the Order of the Houſe, went from *London* by Three this Morning towards the General at St. *Alban's*.

The Houſe ſate after Sermon.

After Evening Sermon both Houſes ſate a while (as was before ordered) and they received a Letter from the Commiſſioners at St. *Alban's*, giving to underſtand, That Sir *Thomas Widdrington*, and Colonel *White* were come thither, and had acquainted the General and Officers with the additional Inſtructions, and that they would give a further account hereof to the Houſes with all ſpeed.

Some of the Militia and Common-Council of *London* came down to the Houſe alſo this Evening for their Approbation to the Letter to be ſent to the Army, but the Houſe of Peers having adjourned a little before they came, the buſineſs was put off till to Morrow.

A Months Pay for the Army.

The Army, we underſtand, renew their Deſire for a Months Pay, that they may not be burthenſome to the Country, and that they will comply with the Votes of the Houſe, not to draw their Quarters nearer *London*, than twenty Miles, without firſt giving notice to the Parliaments Commiſſioners thereof.

The King for certain (whatever other Reports are) is ſtill at *Newmarket*.

The

22 *Caroli* I.

A Declaration in Vindication of the Parliament.

Munday, June 14. 1647. The Lords ſent a Meſſage to the Commons, deſiring that a Declaration might be drawn up to the Kingdom what the Houſes hath done, and what they will do for the further eaſe of the Subjects of this Nation; what ſatisfaction they intend to give the Soldiery of the Kingdom; and what courſe they intend for the ſettling the Peace of the Kingdom.

Their Lordſhips having appointed a Committee for this purpoſe, deſired a proportionable Number of the Houſe of Commons to join with them therein, which was aſſented unto.

In what Place it was fit to have the King.

Another Meſſage this Day came from the Lords, deſiring that it may be referred to this Committee to draw the forenamed Declaration, to conſider what place is fit and convenient to have the Perſon of the King to be brought unto, that ſo they may have the joint compliance of both Kingdoms, for the ſettling of a ſafe and well-grounded Peace.

The Houſe had much Debate thereof, and after a long diſpute, it was ordered, that the Houſe would ſend anſwer by their own Meſſengers.

A Petition of many peaceable Officers.

A Meſſage this Day came from the Lords, recommending the Petition of many peaceable Officers, which Petition was read, and much debate had thereupon; and it was ordered a Declaration ſhould be drawn up to the Kingdom, what ſatisfaction they have given to the Soldiers, and what further ſatisfaction they intend to give them. And that hereafter none ſhould preſume, upon pain of Death to meet in ſuch a tumultuous way as they have done.

Not to meet in a tumultuous way.

A Committee was appointed on purpoſe to draw up this Declaration.

The Houſe hereupon appointed ſeveral Members of the Houſe to acquaint the Petitioners with the ſence of the Houſe upon this Petition, and what diſlike the Houſe hath of the manner of their aſſembling.

A Guard alſo for Weſtminſter.

Hereupon it was ordered, that the Militia of the City ſhould be deſired to ſend a conſiderable Guard to the Houſe.

That Captain *Falconbridge*, and Captain *White* ſhould be required to bring the Trained-Bands of *Weſtminſter* for the Guard of the Houſe.

City Commiſſioners.

This Morning early the Commiſſioners from the Council of the City of *London*, ſet out with three Coaches and their Attendants on Horſeback towards St. *Alban's*, with the Anſwer to his Excellency's and the Officers Letters.

Declaration of Vindication.

The Houſe of Peers ſent a Meſſage to the Commons for a Committee of both Houſes, to conſider of a Declaration to be publiſhed to the Kingdom what the Army hath demanded, what is offered, *&c.* to which the Commons concurred, ten Lords and twenty Commoners are of the Committee.

Propoſitions.

The Lords cauſed the Propoſitions to be read in their Houſe, and ſent a Meſſage by two Judges to put the Commons in mind of the former Meſſage concerning the King. The Houſe ordered to ſend Anſwer by Meſſengers of their own.

Weſtminſter-Hall and the Palace full of Officers and Soldiers.

The Commons heard the Reports of the Conference with the *Scots* Commiſſioners concerning the King, and then being acquainted that there were divers of the Parliaments old Officers and Soldiers in the Hall and Palace, ordered to ſend to deſire them to withdraw.

That the Forces of Kilketto *are returned to* Ulſter.

Letters from *Dublin, June* 9. preſent, give to underſtand, All or moſt of that Force late in *Scotland* with *Kilketto*, are for certain Landed in *Ulſter*: They came in fifteen Veſſels, which they run

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upon the Sands near *Cundrum*, in the Iſle of *Lecall*, and marched away uninterrupted towards *Charlemont*, two Boys only were left in the Barque, who ſay they were 800 in Number. Some Letters ſpeak, that when the Party was defeated, which occaſioned the flight of the reſt; there were 400 Foot taken, where the greateſt part were hanged, which terrified much the reſt.

The Commiſſioners from Parliament, and Forces, landed at Dublin.

The Commiſſioners Landed at *Dublin*, *Munday* the *7th.* after four Days plying at Sea; with them, Colonel *Jones*, Captain *Meredith*, Captain *Parſons*, making in all 450 Horſe, but all in good Equipage; likewiſe Colonel *Kingſton*'s Regiment of Foot, upwards of 700, which with Captain *Row*, and Captain *Ward*'s Company, Colonel *Moor*'s, and Colonel *Auſtin*'s Recruits made the Foot upwards of 1000; all were joyfully received by Thouſands. The buſineſs is followed cloſe by the Commiſſioners; firſt with the Marqueſs, which is near ended, the punctilio ſtood upon may ſuſpend, not alter any thing. Some of the late-come Soldiers have been unruly in diſordering ſome Maſs-Houſes, going in triumphant Proceſſion with the Copes and other Trinkets, which much diſcontented the Papiſts, cauſed many of their Clergy to depart with Bag and Baggage: To avoid this it was moved, that the Soldiers might be drawn to a Rendezvous to Exerciſe, but that was foreſeen; The Field Officers being ſent among them they were quiet.

Sir Charles *Coote's Succeſs.*

The Defeat given by Sir *Charles Coote* is confirmed, the number ſlain was not ſo many as was expreſſed, but the Booty greater; yet all agree 600 were ſlain. The Parliaments Soldiers in *Lecal*, are in great want of all things, eſpecially Shoes, Stockings, and Boots, which are not here to be got for Money.

Want of Proviſion, &c.

Lord Taffe *and Lord* Digby *to break the Independant Army.*

The Lord *Digby* plays leaſt in ſight, alſo the Lord *Taffe*, their great expectation lies wholly in breaking of the Independant Army (as they call it.)

It appears by Letters intercepted, and after printed by the *Iriſh*, the Parliament of *Dublin*, the Lords Spiritual as well as Temporal, with the Commons, have firſt decreed, and have beſtowed a Viſit Congratulatory upon the Commiſſioners, to welcome their good Arrival.

Lord Inchiquin's *Succeſs.*

Letters from Admiral *Crowther*, now in *Waterford-Bay*, dated the *7th.* paſt, gives us notable Service done by my Lord *Inchiqueen*: The manner thus: 'The Lord Preſident being deſirous to take all 'Advantages upon the Rebels, ſent a Party about 500 to fall in 'between ſome Cattle belonging to *Waterford*, which in the Day 'time went abroad, at Night were brought into a *Peninſula* for 'ſafety, which ſucceeded accordingly; they of *Waterford* ſally out, 'and are beaten, near 103 Slain and Wounded, many Priſoners ta'ken, 3000 Head of Cattle, 2000 Sheep. They of *Waterford* have 'ſo ſmarted by this, that they have made an Act of Common-Coun'cil not to Sally out any more. This Sea-Town hath no natural 'Iriſh in it, nor would admit any during theſe Troubles. The Pre'ſident ſince took a Town and Caſtle called *Killin Thomas*, within 'three Miles of *Waterford*.

The Perſon of the King to be brought to Richmond.

This Day, being *June* 15. 1647. The Houſe of Commons reaſſumed the Debate of the further diſpoſal of the King's Perſon, and ſome Votes paſt for his removal to *Richmond*; to which likewiſe the Lords concurred; and theſe enſuing Orders were agreed upon by both Houſes, *viz.*

Die

22 *Caroli* I.

Die Martis, 15. *Junii*, 1647.

June 15.

ORdered by the Lords and Commons aſſembled in Parliament, That the General be required to deliver the *Perſon of the King* to ſuch Perſons as both Houſes ſhall appoint, to be placed at *Richmond*, under ſuch Guards, and in ſuch manner as they ſhall think fit, to the intent, that the Propoſitions agreed upon by both Kingdoms may be ſpeedily preſented to His Majeſty, for the ſettling of a ſafe and well-grounded Peace.

Ordered by the Lords and Commons aſſembled in Parliament, That the Perſons to whom the General is required to deliver the Perſon of the King, to be placed at *Richmond*, ſhall be the Commiſſioners formerly appointed to receive the Perſon of the King at *Newcaſtle*, or to any three of them.

Ordered by the Lords and Commons aſſembled in Parliament, That the Guards appointed to receive the Orders and Directions of the Commiſſioners, in attending and guarding the Perſon of the King, ſhall be Colonel *Roſſiter* and his Regiment.

Ordered by the Lords aſſembled in Parliament, That theſe Orders be forthwith printed and publiſhed.

John Brown, Cler. Parl.

Colonel Birch.

The Accounts of Colonel *Birch*, a Member of this Houſe, was this Day reported to the Houſe, and approved of, and ordered he ſhould have the Publick Faith for Four Thouſand Nine Hundred and odd Pounds, in ſatisfaction of his Demand upon this Account.

The Houſe ordered, That the Officers that have not their Accounts ſtated, and are in Town, ſhall have a Months Pay of their Arrears for their Subſiſtance.

Soldiers Accounts.

That thoſe in Town, whoſe Accounts are ſtated, ſhall have ſix Weeks preſent Subſiſtance.

Loco & tempore Belli. *Immunity.*

It was referred to the Committee of Indemnity to conſider of ſuch Officers as are under reſtraint for any thing done *Tempore & Loco Belli*, to diſcharge them if they ſee cauſe, and to diſcharge ſuch others that ſhall be Arreſted or Impriſoned for the future.

Colonel *Graves* Forces were ordered this Day a Months Pay.

Soldiers diſſatisfaction.

This Day Letters were read in both Houſes from the Commiſſioners with the Army, thereby giving to underſtand, That the Votes concerning thoſe that would come away from the Army, did much diſtaſte the Soldiery, and that there would be ſudden Anſwer given by the General and Army to what was contained in their additional Inſtructions, whereof he would give the Houſe timely notice.

City will raiſe no Forces againſt the Army, but pray they may withdraw.

And accordingly the Commons received a Letter from the Commiſſioners late at Night, with a Declaration encloſed. The Common-Council had alſo another brought by their Commiſſioners, much Love expreſt, a good Correſpondency deſired, no Forces to be raiſed by the City; and a Copy of the Declaration, which was read in the Court of Common-Council; and a Letter was ordered to be returned by the ſame Commiſſioners, with leave from the Houſes to aſſure them of no Forces raiſing againſt them; and that they move the Parliament for Moneys to pay the Army, that they may withdraw further from the City. The Declaration is at large as follows, *viz.*

An. 1647.

June 14. *This Declaration, &c. treats concerning the juſt and fundamental Rights and Liberties of themſelves and the Kingdom, with ſome humble Propoſals, viz. That the Houſe may be purged from Delinquents, &c.*

The Armies Declaration at large.

A Declaration, or Repreſentation *from His Excellency Sir* Thomas Fairfax, *and of the Army under his Command.*

Humbly tendred to the Parliament.

THat we may no longer be the diſſatisfaction of our Friends, the ſubject of our Enemies Malice, (to work Jealouſies and Miſrepreſentations upon) and the ſuſpicion (if not the aſtoniſhment) of many in the Kingdom, in our late or preſent Tranſactions and Conduct of buſineſs, we ſhall in all faithfulneſs and clearneſs profeſs and declare unto you, thoſe things which have of late protracted and hindred our diſbanding, the preſent Greivances which poſſeſs our Army, and are yet unremedied, with our Deſires as to the compleat ſettlement of the Liberties and Peace of the Kingdom, which is that Bleſſing of God, than which (of all worldly things) nothing is more dear unto us, or more precious in our Thoughts, we having hitherto thought all our preſent Enjoyments, whether of Life, or Livelihood, or neareſt Relation, a Price but ſufficient to the purchaſe of ſo rich a Bleſſing, that we, and all the free-born People of this Nation may ſit down in quiet under our Vines, under the glorious adminiſtration of Juſtice and Righteouſneſs, and in the full poſſeſſion of thoſe Fundamental Rights and Liberties, without which we can have little hopes (as to humane Conſiderations) to enjoy either any Comforts of Life, or ſo much as Life it ſelf, but at the pleaſures of ſome Men ruling meerly according to Will and Power.

It cannot be unknown what hath paſſed betwixt the Parliament and the Army, as to the Service of *Ireland*. By all which together, with the late Proceedings againſt the Army, in relation to their Petition and Grievances, all Men may judge what hath hindered the Army from a ready engagement in that Service, and, without further Account or Apology, as to that particular, than what Paſſages and Proceedings themſelves, already made publick do afford. We do appeal to your ſelves, whether thoſe Courſes, to which the Parliament hath (by the Deſigns and Practices of ſome) been drawn, have rationally tended to induce a chearful and unanimous undertaking of the Army to that Service, or rather to break or pull the Army in pieces with Diſcontent and Diſhonour, and to put ſuch Diſobligations and Provocations upon it as might drive it into Diſtempers and indeed diſcourage both this Army and other Soldiers from any further engagement in the Parliaments Service. And we wiſh all Men would, with us, upon the whole Carriage, ſeriouſly conſider, whether (in the Intentions of thoſe who have by falſe Informations and Miſrepreſentations, put the Parliament upon ſuch ways) the timely and effectual relief of *Ireland*, ſeem really to have been intended, or rather, with the breaking or diſbanding of this Army, to draw together, or raiſe ſuch other Forces, and of ſuch a Temper, as might ſerve to ſome deſperate and deſtructive Deſigns in *England*. For which, beſides the probable ſuſpicions from their carriage of the buſineſs, we have before-hand, in the tranſaction thereof, had more than hints of ſuch a deſign, by clear Expreſſions to that purpoſe, from many of the Officers of the Army, that have been perſwaded, and appeared moſt forward to engage as for *Ireland*, on the Terms propoſed. And that ſuch a deſign hath all along been driven, ſeems now too evident, by the preſent diſpoſing of thoſe Forces that have been engaged for *Ireland*, by the endeavours of ſome to gain a Power from the Parliament, of ordering thoſe Forces for ſome Service in *England*: And by the private Liſtings of Men for Service there, without any publick Authority of Parliament. And all this, by the ſame Perſons who have all along appeared moſt active and violent in the late proceedings againſt the Army.

As to the juſt Diſcontents and Diſſatisfactions of the Army, in relation to their Grievances, and their non-compliance to the late Orders for ſudden diſbanding by piece-meal, before more full and equal ſatisfaction were given to the whole, we deſire you to look back to the Papers already publiſhed, of the Grievances themſelves, the Narrative of the Officers, and the late Papers from the General Council of War at *Bury*, and late General Rendezvous near *Newmarket*: And we think your late reſuming the Conſideration of

theſe

theſe things (as to a further ſatisfaction) doth moſt juſtifie the Deſires and Proceedings of the Army, in the paſt particulars hitherto.

And though had we (upon our firſt Addreſſes for our undoubted Rights and Dues) found a free and candid Reception, with a juſt Conſideration and reaſonable Satisfaction, or at leaſt a free Anſwer therein, we ſhould have been eaſily perſwaded to have abated or forborn much of our Dues, and not to have inquired into, or conſidered (ſo far as we have) either the poſſibilities there are for more preſent ſatisfaction of Arrears, or the credit of future Securities propoſed; yet ſince upon theſe former Addreſſes we have found ſuch hard dealing as in the ſaid Paper is ſet forth, and thoſe additional (though hitherto but partial) Satisfactions coming ſo hardly as they have, we find no obliging Reaſons in the leaſt to decline or recede from what is our due, but rather ſtill to adhere unto our deſires of full and equal ſatisfaction of all the things mentioned in the aforeſaid Papers, not only in behalf of our ſelves and the Army, but alſo the whole Soldiery throughout the whole Kingdom, who have concurred, or ſhall concur with us in the ſame deſires.

And to all our former deſires as Soldiers, we cannot but add this (wherein we find our ſelves ſo nearly concerned in point of Juſtice and Reputation) that more care, &c. ſtricter courſe may be taken for making good all Articles granted upon Surrenders, according to the true intent and meaning of them. As alſo for remedy and reparation in caſe of any Breach; and this without thoſe delays which divers have found as prejudicial to them, or more than if they had been totally denied the performance of them.

Nor will it now, we hope, ſeem ſtrange or unſeaſonable to rational and honeſt Men, who conſider the conſequence of our preſent Caſe, to their own and the Kingdoms (as well as our) future Concernment in point of Right, Freedom, Peace, and Safety, if from a deep ſenſe of the high Conſequence of our preſent Caſe, both to our ſelves, in future, and all other People, we ſhall, before diſbanding, proceed in our own and the Kingdoms behalf, to propound and plead for ſome Proviſion for our and the Kingdom's ſatisfaction, and future ſecurity, in relation to thoſe things, eſpecially conſidering, that we were not a meer mercinary Army, hired to ſerve any Arbitrary Power of a State, but called forth and conjured by the ſeveral Declarations of Parliament, to the defence of our own and the Peoples juſt Rights and Liberties. And ſo we took up Arms in Judgment and Conſcience to thoſe Ends, and have ſo continued them, and are reſolved, according to your firſt juſt deſires in your Declarations, and ſuch Principles as we have received from your frequent Informations, and our own common ſenſe concerning thoſe our fundamental Rights and Liberties, to aſſert and vindicate the juſt Power and Rights of this Kingdom in Parliament, for thoſe common Ends premiſed againſt all Arbitrary Power, Violence, and Oppreſſion, and againſt all particular Parties or Intereſts whatſoever. The ſaid Declarations ſtill directing us to the equitable ſenſe of all Laws and Conſtitutions, as diſpenſing with the very Letter of the ſame, and being ſupream to it, when the ſafety and preſervation of all is concerned, and aſſuring us, that all Authority is fundamentally ſeated in the Office, and but Miniſterially in the Perſons; neither do or will theſe our Proceedings (as we are fully and in Conſcience perſwaded) amount to any thing not warrantable before God and Men, being thus far much ſhort of the common Proceedings in other Nations, to things of a higher nature than we have yet appeared to. And we cannot but be ſenſible of the great Complaints that have been made generally to us of the Kingdom, from the People where we march, of Arbitrarineſs and Injuſtice, to their great and inſupportable Oppreſſions.

And truly ſuch Kingdoms as have, according both to the Law of Nature and Nations, appear'd to the vindication and defence of their juſt Rights and Liberties, have proceeded much higher; as our Brethren of *Scotland*, who, in the firſt beginning of theſe late Differences, aſſociated in Covenant, from the very ſame Grounds and Principles (having no viſible Form either of Parliament or King to countenance them;) and as they were therein juſtified and protected by their own and this Kingdom alſo, ſo we juſtly ſhall expect to be.

We need not mention the States of the *Netherlands*, the *Portugals*, and others, all proceeding from the ſame Principles of Right and Freedom: And accor-

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accordingly the Parliament hath declared it no reſiſtance of Magiſtracy, to ſide with the juſt Principles and the Law of Nature and Nations, being that Law upon which we have aſſiſted you. And that the Soldiery may lawfully hold the hands of the General, who will turn his Cannon againſt his Army, on purpoſe to deſtroy them; the Seamen the hands of the Pilot, who wilfully runs the Ship upon a Rock (as our Brethren of *Scotland* argued). And ſuch were the proceedings of our Anceſtors of famous Memory, to the purchaſing of ſuch Rights and Liberties as they have enjoyed, through the Price of their Blood, and we (both by that, and the later Blood of our dear Friends and Fellow-Soldiers, with the hazard of our own) do now lay claim to.

Nor is that ſupream End (the Glory of God) wanting in theſe Caſes, to ſet a price upon all ſuch proceedings of Righteouſneſs and Juſtice. It being one Witneſs of God in the World, to carry on a Teſtimony againſt the Injuſtice and Unrighteouſneſs of Men, and againſt the Miſcarriages of Governments, when corrupted or declining from their primitive or original Glory.

Theſe things we mention, but to compare Proceedings, and to ſhew, that we are ſo much the more juſtifiable and warranted in what we do, by how much we come ſhort of that heighth and meaſure of Proceedings, which the People in free Kingdoms and Nations have formerly practiced.

Now having thus far cleared our way in this buſineſs, we ſhall proceed to propound ſuch things as we do humbly deſire, for the ſetling and ſecuring of our own and the Kingdom's common Right, Freedom, Peace, and Safety, as followeth.

The Parliament to be purged.

Firſt, That the Houſes may be ſpeedily purged of ſuch Members as for their Delinquency, or for Corruptions, or abuſe to the State, or undue Elections, ought not to ſit there: Whereof the late Elections in *Cornwal*, *Wales*, and other parts of the Kingdom, afford too many Examples, to the great prejudice of the Peoples Freedoms in the ſaid Elections.

A Period for their ſitting.

Secondly, That thoſe Perſons who have in the unjuſt and high proceedings againſt the Army, appeared to have the Will and Confidence, Credit and Power, to abuſe the Parliament and the Army, and indanger the Kingdom in carrying on ſuch things againſt us (while an Army,) may be ſome way ſpeedily diſabled from doing the like, or worſe to us (when diſbanded and diſperſt, and in the condition of private Men) or to other the free-born People of *England*, in the ſame Condition with us; and that for that purpoſe the ſame Perſons may not continue in the ſame Power (eſpecially as our and the Kingdoms Judges in the higheſt Truſt) but may be made incapable thereof for the future.

And if it be queſtioned who theſe are, we thought not fit particularly to name them in this our Repreſentation unto you, but ſhall very ſpeedily give in their Names, and before long, ſhall offer what we have to ſay againſt them to your Commiſſioners, wherein we hope ſo to carry our ſelves, as that the World ſhall ſee we aim at nothing of private Revenge or Animoſities, but that Juſtice may have a free courſe, and the Kingdom be eaſed and ſecured by diſabling ſuch Men (at leaſt) from places of Judicature, who deſiring to advantage and ſet up themſelves and their Party, in a general Confuſion have endeavoured to put the Kingdom into a new flame of War, than which nothing is more abhorring to us.

But becauſe neither the granting of this alone would be ſufficient to ſecure our own, and the Kingdoms, Rights, Liberties and Safety, either for the preſent Age or Poſterity, nor would our propoſing of this ſingly, be free from the ſcandal and appearance of Faction or Deſign, only to weaken one Party (under the Notion of unjuſt or oppreſſive) that we may advance another (which may be imagined more our own,) we therefore declare,

That indeed we cannot but wiſh, That ſuch Men, and ſuch only might be preferred to the great Power and Truſt of the Common-wealth, as are approved at leaſt for moral Righteouſneſs. And of ſuch we cannot but in our Wiſhes prefer thoſe that appear acted thereunto by a principle of Conſcience and Religion in them.

And accordingly we do, and ever ſhall bleſs God, for thoſe many ſuch Worthies, who through his Providence have been choſen into this Parlia-

and

ment; and to ſuch Mens endeavours (under God) we cannot but attribute that Vindication in part of the Peoples Rights and Liberties, and thoſe beginnings of a juſt Reformation, which the firſt proceedings of this Parliament, appeared to have driven at and tended to, though of late obſtructed, or rather diverted to other Ends and Intereſts, by the prevailing of other Perſons, of other Principles and Conditions. 22 *Caroli* I.

But yet we are ſo far from deſigning or complying to have an abſolute or arbitrary Power ſettled, for continuance, in any Perſons whatſoever, as that (if we might be ſure to obtain it) we cannot wiſh to have it ſo in the Perſons of any whom we could moſt confide in, or who ſhould appear moſt of our own Opinions or Principles, or whom we might have moſt perſonal aſſurance of, or intereſt in: But we do and ſhall much rather wiſh, that the Authority of this Kingdom in Parliaments (rightly conſtituted) that is, freely, equally, and ſucceſſively choſen, according to its original Intention, may ever ſtand and have its courſe: And therefore we ſhall apply our deſires chiefly to ſuch things as (by having Parliaments ſettled in ſuch a right Conſtitution) may give moſt hopes of Juſtice and Righteouſneſs to flow down equally to all in that its ancient Channel, without any Overtures tending either to overthrow that Foundation of Order and Government in this Kingdom, or to ingroſs that Power for Perpetuity into the hands of any particular Perſons or Party whatſoever.

And for that purpoſe, though (as we have found it doubted by many Men, minding ſincerely the publick Good; but not weighing ſo fully all Conſequences of things) it may, and is not unlike to prove that upon the ending of this Parliament and the election of a new, the Conſtitution of ſucceeding Parliaments (as to Perſons elected) may prove for the worſe many ways; yet ſince neither in the preſent purging of this Parliament, nor in the election of new, we cannot promiſe to our ſelves, or the Kingdom, an aſſurance of Juſtice, or other poſitive good from the hands of Men; but thoſe who for preſent appear moſt Righteous, or moſt for common good, having in them an unlimited Power fixed in them, during Life or Pleaſure, in time may become corrupt, or ſettle into Parties or Factions. Or on the other ſide, in caſe of new Elections, thoſe that ſhould ſo ſucceed, may prove as bad or worſe than the former.

We therefore humbly conceive, that, of two Inconveniences the leſs being to be choſen, the main thing to be intended in this caſe (and beyond which humane Providence cannot reach, as to any aſſurance of poſitive Good) ſeems to be this, *viz.* to provide, That however unjuſt or corrupt the Perſons of Parliament Men, in preſent or future may prove, or whatever ill they may do to particular Parties (or to the whole in particular things) during their reſpective Terms or Periods, yet they ſhall not have the temptation or advantage of an unlimited Power fixed in them, during their own pleaſure, whereby to perpetuate Injuſtice or Oppreſſion upon any, without end or remedy, or to advance or uphold any one particular Party, Faction, or Intereſt whatſoever, to the oppreſſion or prejudice of the Community, and the enſlaving of the Kingdom to all Poſterity; but that the People may have an equal hope or poſſibility, if they have made an ill choice at one time, to mend it in another. And the Members of the Houſe themſelves may be in a capacity to taſte of Subjection as well as Rule, and may be enclined to conſider of other Mens Caſes, as what may come to be their own. This we ſpeak of in relation to the Houſe of Commons, as being intruſted on the Peoples behalf for their Intereſt in that great and ſupream Power of the Common-wealth, *viz.* the Legiſlative Power, with the Power of final Judgments, which being in its own Nature ſo arbitrary, and in a manner ſo unlimited, unleſs in point of time, is moſt unfit and dangerous (as the Peoples Intereſt) to be fixt in the Perſons of the ſame Men, during Life, or their own pleaſures: Neither by the original Conſtitution of this State, was it, or ought it to continue ſo, nor does it (where-ever it is and continues ſo) render that State any better than a Tyranny, or the People ſubjected to it any better than Vaſſals. But in all States where there is any face of common Freedom, and particularly in this State of *England*, (as is moſt evident both by many poſitive Laws and ancient conſtant Cuſtom) the People have a right to new and ſucceſſive Elections, unto that great and ſupream Truſt, at certain periods of Time, which is ſo eſſential and fundamental to their freedom, as it cannot or ought not

Parliament to be purged.

Periods for their ſitting.

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not to be denied them, or with-holden from them, and without which the House of Commons is of very little concernment to the Interest of the Commons of *England*. Yet in this we would not be misunderstood in the least, to blame those Worthies of both Houses, whose Zeal to vindicate the Liberties of this Nation, did procure that Act for the continuance of this Parliament, whereby it was secured from being dissolved at the King's pleasure, as former Parliaments had been, as reduced to such a certainty as might enable them the better to assert and vindicate the Liberties of this Nation, immediately before so highly invaded, and then also so much endangered. And this we take to be the principal Ends and Grounds for which in that exigency of Time and Affairs it was procured, and to which we acknowledge it hath happily been made use of; but we cannot think it was by those Worthies intended or ought to be made use of to the perpetuating of that supream Trust and Power in the Persons of any, during their own pleasures, or to the debaring of the People from their right of Elections, totally now, when these Dangers or Exigencies were past, and the Affairs and Safety of the Common-wealth would admit of such a change.

Having thus cleared our Grounds and Intentions, as we hope, from all Scruples and Misunderstandings, in what follows we shall proceed further to propose what we humbly desire, for the settling and securing of our own and the Kingdoms Rights and Liberties, (through the Blessing of God) to Posterity; and therefore upon all the Grounds premised, we further humbly desire as followeth.

Thirdly, That some determinate period of Time may be set for the continuance of this and future Parliaments, beyond which none shall continue, and upon which new Writs may of course may issue out, and new Elections successively take place, according to the intent of the Bill for Triennial Parliaments.

And herein we would not be misunderstood to desire a present or sudden Dissolution of this Parliament, but only, as is express'd before, that some certain Period may be set for the determining of it, so as it may not remain, as now, continuable for ever, or during the pleasure of the present Members; and we should desire that the Period be now set for ending this Parliament, may be such as may give sufficient time for provision of what is wanting, and necessary to be passed in point of just Reformation, and for further securing the Rights and Liberties, and settling the Peace of the Kingdom: In order to which we further humbly offer.

Parliaments not to be dissolved at the King's Pleasure.

Fourthly, That secure Provision may be made for the continuance of future Parliaments, so that they may not be Adjournable or Dissolvable at the King's pleasure, or any other ways than by their own Consent, during their respective Periods, but at those Periods each Parliament to determine of course as before. This we desire may be now provided for, if it may be, so as to put it out of dispute for future, though we think of right it ought not to have been otherwise before.

And thus a firm Foundation being laid, in the Authority and Constitution of Parliaments, for the hopes at least of common and equal right and freedom to our selves, and all the free-born People of this Land. We shall hereby, for our part, freely and chearfully commit our Stock or Share of Interest in this Kingdom, into this common Bottom of Parliaments. And though it may, for our particulars, go ill with us in the Voyage, yet we shall thus hope, if right be with us, to fare better.

These things we desire may be provided for by Bill or Ordinance of Parliament, to which the Royal assent may be desired; and when His Majesty in these things, and what else shall be proposed by the Parliament, necessary for securing the Rights and Liberties of the People, and for settling the Militia, and Peace of the Kingdom, shall have given his Concurrence to put them past dispute, we shall then desire, that the Rights of His Majesty, and his Posterity may be considered of, and settled in all things, so far as may consist with the Right and Freedom of the Subject, and with the security of the same for the future.

Fifthly,

22 *Caroli* I.

Fifthly, We deſire, that the right and freedom of the People, to repreſent to the Parliament, by way of humble Petition, their Grievances (in ſuch things as cannot otherwiſe be remedied than by Parliament) may be cleared and vindicated. That all ſuch Grievances of the People may be freely received, and admitted into Conſideration, and put into an equitable and ſpeedy way to be heard, examined, and redreſſed, if they appear real, and that in ſuch things for which Men have remedy by Law, they may be freely left to the benefit of the Law, and the regulated courſe of Juſtice, without interruption or check from the Parliament, except in caſe of things done upon the exigency of War, or for the ſervice and benefit of the Parliament and Kingdom, in relation to the War, or otherwiſe, in due purſuance and execution of Ordinances or Orders of Parliament. More particularly, under this Head, we cannot but deſire, that all ſuch as are Impriſoned for any pretended Miſdemeanor, may be put into a ſpeedy way for a juſt Hearing and Tryal, and ſuch as ſhall appear to have been unjuſtly and unduly Impriſoned, may, with their Liberty, have ſome reaſonable Reparation according to their Sufferings, and the demerit of their Oppreſſors.

Powers to Committees and Deputy-Lieutenants to be regulated.

Sixthly, That the large Powers given to Committees, or Deputy Lieutenants, during the late time of War and Diſtraction, may be ſpeedily taken into Conſideration; that ſuch of thoſe Powers as appear not neceſſary to be continued, may be taken away, and ſuch of them as are neceſſary may be put into a regulated way, and left to as little Arbitrarineſs as the nature and neceſſity of the things wherein they are converſant will bear.

Accounts.

Seventhly, We could wiſh that the Kingdom might both be righted and publickly ſatisfied in point of Accounts for the vaſt Sums that have been levied and paid; as alſo in divers other things wherein the Common-wealth may be conceived to have been wronged and abuſed; but we are loath to preſs any thing that may tend to lengthen out future Diſputes or Conteſtations, but rather ſuch as may tend to a ſpeedy and general Compoſure and quieting of Mens Minds, in order to Peace, for which purpoſe we further propoſe.

Publick Juſtice and Oblivion.

Eighthly, That publick Juſtice being firſt ſatisfied by ſome few Examples to Poſterity, out of the worſt of excepted Perſons, and other Delinquents, having paſt their Compoſition, ſome courſe may be taken by a general Act of Oblivion, or otherwiſe, whereby the Seeds of future War or Fears, either to the preſent Age or Poſterity, may the better be taken away, by eaſing that ſenſe of preſent, and ſatisfying thoſe Fears of future Ruine or Undoing to Perſons or Families, which may drive Men into any deſperate ways for Self-Preſervation or Remedy; and by taking away the private Remembrances and diſtinction of Parties, as far as may ſtand with ſafety to the Rights and Liberties we have hitherto ſought for.

There are, beſides theſe, many particular things which we would wiſh to be done, and ſome to be undone, all in order ſtill to the ſame Ends of common Right, Freedom, Peace and Safety, but theſe Propoſals aforegoing being the principal things we bottom and inſiſt upon, we ſhall, as we have ſaid before, for our parts, acquieſce for other particulars in the Wiſdom and Juſtice of Parliament. And whereas it has been ſuggeſted or ſuſpected, That in our late or preſent Proceedings our deſign is to overthrow Presbytery or hinder the ſettlement thereof, and to have the Independant Government ſet up, we do clearly diſclaim and diſavow any ſuch deſign. We only deſire, that according to the Declarations (promiſing a proviſion of tender Conſciences) there may be ſome effectual courſe taken, according to the intent thereof, and that ſuch who upon Conſcientious Grounds may differ from the eſtabliſhed Forms, may not for that be debarred from the common Rights, Liberties, or Benefits belonging equally to all, as Men and Members to the Common-wealth, while they live ſoberly and inoffenſively towards others, and peaceably and faithfully towards the State.

We have thus freely and clearly declared the depth and bottom of our Hearts and Deſires, in order to the Rights, Liberties, and Peace of the Kingdom, wherein we appeal to all Men, whether we ſeek any thing of advantage

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age to our ſelves, or any particular Party whatever, to the prejudice of the whole; and whether the things we wiſh and ſeek do not equally concern and conduce to the good of others in common with our ſelves, according to the ſincerity of our Deſires and Intentions, wherein, as we have already found the concurrent ſenſe of the People in divers Counties, by their Petitions to the General, expreſſing their deep reſentment of theſe things, and preſſing us to ſtand for the Intereſt of the Kingdom therein, ſo we ſhall wiſh and expect to find their unanimous Concurrence of all others who are equally concerned with us in theſe things, and wiſh well to the Publick.

And ſo truſting in the Mercy and Goodneſs of God, to paſs by and help any Failings and Infirmities of ours in the Carriage or Proceedings hereupon, we ſhall humbly caſt our ſelves and the buſineſs upon his good pleaſure, depending only on his Preſence and Bleſſing for a happy Iſſue to the Peace and Good of this poor Kingdom; in the accompliſhment whereof, we deſire and hope, that God will make you bleſſed Inſtruments.

Signed, *June* 14. 1647.

By the appointment of His Excellency Sir Thomas Fairfax, *with the Officers of his Army.*

June 16. 1647. This Day came to the Houſes of Parliament, from his Excellency and the Officers and Soldiers of the Army, a Charge againſt the Eleven Members of the Commons Houſe, whereby they are charged with obſtructing the buſineſs of *Ireland*, to have been Actors againſt the Army, and againſt the Laws and Liberties of the Subject, and obſtructing of Juſtice. The Members charged herewith, are theſe following, *Denzil Hollis*, Eſq; Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Knights, Major General *Maſſy*, Mr. *Glynn*, Recorder of *London*, Colonel *Walter Long*, Colonel *Edward Harley*, and *Anthony Nichols*, Eſq; Members of the Houſe of Commons.

The Charge follows at large, *viz.* With a Paper annexed from the General, *&c.* to the Commiſſioners of Parliament, of their further Propoſals to the Houſe.

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June 14.

The Heads of a Charge delivered in the Name of the Army, under the Command of Sir Thomas Fairfax *unto the Commiſſioners of Parliament, now with the Army at St.* Albans, *to be by them ſent up to the Parliament againſt* Denzil Hollis, *Sir* Philip Stapleton, *Sir* William Lewis, *Sir* John Clotworthy, *Sir* William Waller, *Sir* John Maynard, *Knights, Major General* Maſſey, *Mr.* Glyn, *Recorder of* London, *Colonel* Walter Long, *Colonel* Harley, *and* Anthony Nichols, *Eſq; Members of the Houſe of Commons, jointly or ſeverally as followeth.*

11 *Members Impeached.*

Firſt, THat contrary to the Truſt repoſed in them, the Perſons abovenamed, Members of the Houſe of Commons, have jointly or ſeverally, Invaded, Infringed, or endeavoured to overthrow the Rights and Liberties of the Subject of this Nation, in arbitrary, violent, or oppreſſive ways, (and in this caſe where no pretence was, or could be of the exigence of War, or other neceſſity, which might juſtifie or excuſe the ſame) and they have likewiſe endeavoured by indirect and corrupt Practices to delay and obſtruct Juſtice, to the great damage and prejudice of divers of the poor Commons of *England*, Petitioning for the ſame.

Secondly, That this Army being, until the middle of *March* laſt, in a quiet and orderly condition and poſture, free from any colour or appearance of Diſtemper or Diſorder, or from Offence to any, and ready (upon reaſona-

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ble ſatisfaction in their neceſſary Dues for Service paſt) either quietly to have Disbanded, or elſe to have engaged in the Service of *Ireland*, the Perſons above-named have jointly or ſeverally, endeavoured by falſe Informations, Miſrepreſentations, or ſcandalous Suggeſtions againſt the Army, to beget Miſunderſtandings, Prejudices, or Jealouſies in the Parliament againſt the Army; and by deluding, ſurpriſing, or otherwiſe abuſing the Parliament, to engage the Authority of Parliament to ſuch Proceedings, as to put inſufferable Injuries, Abuſes, and Provocations upon the Army, whereby to provoke and put the Army into a Diſtemper, and to diſoblige and diſcourage the ſame from any further engagement in the Parliament's Service. By all which, and other the like Particulars and Proceedings of theirs, the Peace of the Kingdom hath been imminently endangered, and the relief of *Ireland* retarded.

Thirdly, That whereas the Parliament might otherwiſe have had, out of this Army, an intire Force, and anſwerable to their proportion deſigned to have engaged for *Ireland* as aforeſaid, under their old Officers and Conduct, the Perſons above-named, for advancement of their own Ends, Faction, and Deſign, to the prejudice of the Publick, have jointly or ſeverally, under pretence of the Service of *Ireland*, endeavoured, by ſuch evil Practices as before, to break and pull this Army in pieces, to the weakening of the Power, and endangering of the Safety of Parliament and Kingdom, and have likewiſe endeavoured to put the Parliament and Kingdom to the trouble, hazard, delay, and vaſt expence of raiſing a new Force as for that Service.

Fourthly, That with the breaking of this Army as aforeſaid, they have in the like manner endeavoured, under the pretence of the Service of *Ireland*, to raiſe a new force, as before, to advance and carry on deſperate deſigns of their own in *England*, to the prejudice of the Parliament and Publick; and in purſuance of the ſame, have endeavoured to divert the Forces engaged as for *Ireland*, and unto ſuch their purpoſe as aforeſaid here in *England*; and have in like manner endeavoured to have gained a Power from the Parliament, for themſelves, or ſome of them, of diverting and miſimploying thoſe Forces aforeſaid, and to raiſe new Forces under pretence to guard the Parliament; and (not having obtained that) have in like manner endeavoured privately to liſt and engage Officers and Soldiers, or procure them to be liſted, and engaged without the Authority of Parliament, for the raiſing of and embroiling the Kingdom in a new and bloody War, and to interrupt and hinder the ſettling and ſecuring the Rights, Liberties, and Peace of the Kingdom, and for the ſettling, upholding, and protecting of themſelves and their Accomplices, in their unjuſt, oppreſſive, and factious Deſigns and Proceedings.

Fifthly, That they have jointly or ſeverally invited, encouraged, abetted, or countenanced divers Reformado's and other Officers and Soldiers, tumultuouſly and violently to gather together at *Weſtminſter*, to affright and aſſault the Members of Parliament in paſſage to and from the Houſe, to offer Violence to the Houſe it ſelf, and by ſuch Violence, Outrages, and Threats, to awe and inforce the Parliament.

The ſeveral Heads of Charge the Army will, by ſuch Soldiers as they ſhall appoint (when the Houſe of Commons ſhall admit thereof) make good in particulars each Head againſt ſome of the Perſons, and ſome one Head or more againſt each of the Perſons; and ſhall ſhortly give in the ſeveral particulars againſt each Perſon reſpectively, which ſhall be made good by Proofs, the Army deſiring to ſave and reſerve to themſelves the liberty of exhibiting any further Charge againſt all or any of the ſaid Perſons.

An. 1647.

A Paper delivered to the Right Honourable the Commissioners of Parliament, now with the Army at St. Alban's, June 15. 1647. *from His Excellency Sir* Thomas Fairfax, *and the Army under his Command.*

Shewing,

Further Proposals from the Army.

First, THat in pursuance of the Representation delivered in, we have prepared the Heads of a Charge against divers Persons, Members of the House of Commons (to whom many Passages in the said Representation do relate) which we have delivered in to be speeded to the Parliament, and shall (when the Parliament shall have admitted thereof) appoint six Persons on our and the Kingdom's behalf, to prosecute and make good the same.

Secondly, That if the Parliament shall be pleased to admit these things into Debate and Consideration, at the desire of the Army, in the behalf of themselves and the Kingdom, and to proceed thereupon for a general satisfaction therein; We shall then desire,

I. That the Persons Impeached in the said Charge may be forthwith suspended from sitting in the House, without which we cannot reasonably expect such a Proceeding upon any the things we have proposed, as may probably bring the same to an happy or timely Issue to the Kingdom or ourselves, or as may prevent the present Designs and Practices, so imminently indangering the Peace of this Nation, if those same Persons (who have notoriously appeared most active in all the late Proceedings, to the prejudice and provocation of the Army, and hazarding thus far the Peace of the Kingdom) shall continue in the same power Judges of those things relating to the Armies satisfaction, and peace of the Kingdom.

II. That there may be a Months Pay immediately sent down to the Army, for a present supply, out of which the Army shall pay fourteen Days Quarter for time to come, and the other fourteen Days Pay shall be accompted as part of Arrears. And to this we must desire a present resolution to be with us on *Thursday* next by Noon at furthest.

III. That if the Officers and Soldiers of the Army, who have engaged for *Ireland*, or those who have deserted the Army and come to *London*, have since then, received more than a Months Pay, there may be so much more Money sent down to the Army (above the Months Pay aforementioned) as may make up that Months Pay to the Army equal to what such Officers and Soldiers have so received at *London* or elsewhere.

IV. That no Officers or Soldiers who have so deserted the Army, shall have any more paid them as for Arrears, until the rest of the Army shall first be satisfied in point of Arrears.

V. Whereas there have been several Designs and Endeavours, without Authority from the Parliament, to raise and list new Forces within this Kingdom, to draw together the Forces engaged for *Ireland*, and march them towards *London*; and other secret Practices to engage the Kingdom in a second War. We further desire, That during the Debate and Transaction of this business betwixt the Parliament and the Army, the Parliament would not suffer any new Forces to be raised within this Kingdom, or any Forces to be invited or admitted out of any other Kingdom to this; or any thing else to be done, that may carry the face of a new War, or Preparations thereunto, which may indanger or interrupt the present Proceedings to the settlement of the Liberties and Peace of this Kingdom.

VI. That the Parliament would be pleased, without delay, to put the things contained in our several Representations and Papers already given in, into a speedy way of Resolution and Dispatch, the present posture and condition

dition of the Kingdom and Army; as alſo of His Majeſty himſelf, not admitting delays.

Signed
St. Alban's, June 17. 1647.

By the appointment of His Excellency Sir Thomas Fairfax, *and Soldiers of the Army under his Command.*

They ſpeak for themſelves in the Houſe.

After the reading of the Charge, *&c.* the Members ſeverally made ſome Defence thereunto, and deſired it might be put into a ſpeedy way of Tryal, the further Conſideration thereof was put off till another Day.

The City Commiſſioners are returned from the Army, and give an account to the Parliament.

The Houſe then alſo underſtood, that the Commiſſioners for the City of *London* were returned from St. *Alban's*, and that a Committee from the Common-Council were come to the Houſe, to acquaint them what was done; whereupon they were called in, and related to the Houſe the whole Tranſaction betwixt the General and Commiſſioners for the City; and alſo, that the Common-Council had appointed further to be done in the ſame; all which was well approved of by the Houſe, and Thanks returned them, deſiring them to go on in this great buſineſs of Mediation betwixt the Army, Parliament, and City.

This Day at St. *Alban's* two Petitions were preſented to the General, from the Counties of *Bucks* and *Hertford*; that of *Bucks* being accompanied with a hundred of the Petitioners, and above a thouſand Subſcriptions, at the delivery whereof, the Preſenter made a Speech to his Excellency, which is annexed to the Petition. See them both at large, as follows, *viz.*

To his Excellency Sir *Thomas Fairfax*, Knight, Captain-General of the Forces raiſed for defence of the Kingdom.

The Humble Petition of the Inhabitants of the County of Bucks.

May it pleaſe your Excellency,

June 15. Bucks *Petition to the General, againſt diſaffected Perſons to the Army, who are for diſbanding.*

WE bleſs God for you, as the Inſtrument whom he hath raiſed up, and made eminent in putting an end to the ſad and dreadful War, wherein this Kingdom was involved not many Months ſince. Our Eyes are ſtill upon you, and our Prayers for you, That God would crown your Labours with an happy Period of our Miſeries, ending in the enjoyment of our native Liberties, which are the things we have choſen our Fellow-Subjects, ſerving in Parliament to obtain for us. They are the things for which we have adventured our Lives and Eſtates freely, being the firſt County that appeared for them.

They are the things we have ſo often Petitioned for, and could not have ſo much as expected a delay of Anſwer to theſe our juſt Deſires.

But to our Grief we ſpeak it, we have been rejected, and are become hopeleſs of Satisfaction, by ſome Men who have not only prevailed, in diſcountenancing our juſt Petitions (the proper way of the Subjects Addreſs) but have almoſt made it a Fault for the Subjects to Petition even for things that are due to them, by common Birth-right and the Law of the Kingdom, and which frequently have been confirmed unto us by ſeveral Ordinances and Declarations of Parliament. We are not ignorant, that even ſome Men amongſt them, whom in due time we ſhall not ſtick to name, are ſuch as by their ſubtle ſleights have endeavoured to render your Army odious to the Parliament and Kingdom, which, rather than they ſhall not obtain, they will not ſtick to inflame the Kingdom in a ſecond unneceſſary and unjuſt War; that being the only obſtacle to their wicked Deſigns, and the only help under God left us of having a firm Peace ſettled in this Kingdom.

Theſe things being come to this paſs, we take upon us the boldneſs to beſeech your Excellency, you being a Perſon whom your Juſtice, Courage, Fide-

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Fidelity, and Zeal for the common good, have made eminent, and given ſo great an Intereſt in the Hearts and Affections of all Men, who have any ſenſe of their common-good and juſt Liberties; that you will be pleaſed to mediate on our behalf to the Honourable Court of Parliament, for the obtaining of our ſo dear and near Concernments, without the enjoyment whereof even our Lives will be uncomfortable to us.

And although this our Addreſs may ſeem ſtrange or hazardous unto you, yet we doubt not but the Juſtice of our Deſires will preſerve you. As for our own parts, we are reſolved in the Mediation thereof, to aſſiſt you to the utmoſt of our Powers, &c.

This Petition of the County of *Buckingham* was preſented to his Excellency at St. *Alban's*, the 15*th* of *June* preſent, by about one hundred of the Petitioners, with the Subſcription of about one thouſand of the Inhabitants of that County thereunto. At the delivery whereof the Preſenter expreſſed himſelf to His Excellency as followeth.

The Preſenter's Speech to the General at the delivery of Bucks Petition againſt Diſbanding.

May it pleaſe your Excellency,

APprehending a neceſſity for the ſudden furtherance of all lawful means, which may conduce to the removing our Counties and the Kingdom's Grievances, this our preſent Addreſs unto your Excellency is not ſo general as otherwiſe it might have been; yet we are confident we may fully diſcharge our Countries real and high eſteem of your unwearied and faithful endeavours for the Kingdom's Peace. And if your Excellency ſhall further pleaſe to improve your utmoſt Intereſt in the Honourable Court of Parliament, for the crowning of your former Atchievements with the future freedom of our Nation, we and our Poſterities ſhall acknowledge you. And if any diſaffected to the common Good ſhall endeavour, by means hereof, to render your Perſon and Army odious to the Parliament or Kingdom, we cannot but look upon that as an Injury of common Concernment, and them as Enemies to the publick Peace. And none ſhall be more ready to bring ſuch to the legal and juſt deſerved Cenſures than we, who have in this Petition, which we humbly preſent unto you, ſubſcribed by our ſelves; yours and the Kingdom's faithful Servants.

Liſting to raiſe Forces annulled.

Die Mercuri 16. *Junii*, 1647.

June 16.

Votes to draw Forces together made void.

ORdered by the Lords and Commons aſſembled in Parliament, That the ſeveral Orders made by the Committee of Lords and Commons, for the ſafety of the Kingdom, for the liſting and drawing together of any of the Forces of the ſeveral Counties, be and are hereby annulled and made void.

Parliament's Militia made void; and their Orders to Liſt Forces made void.

Ordered by the Lords and Commons aſſembled in Parliament, That the Order of the Committee of Lords and Commons, and of the Committee of the Militia of the City of *London*, of the twelfth of this Inſtant *June*, 1647. deſiring Colonel *Dalbier*, and ſome other Colonels, to bring in Liſts of the Names and Qualities of ſuch Gentlemen and Reformado Officers as they ſhall find willing to engage in the Service of the Parliament, be and is hereby annulled and made void.

Ordered by the Lords aſſembled in Parliament, That theſe Orders be forthwith printed and publiſhed.

June 16. *Scots Commiſſioners to go to the King.*

A Letter this Day came from the *Scots* Commiſſioners deſiring, that ſome of them may have the Paſs of both Houſes to go to His Majeſty, which was aſſented unto. The Lord *Lauderdale* in particular was ordered to have the Speaker's Paſs, with his Retinue, to go to the King.

The

22 *Caroli* I.

The Queſtion was put, that His Excellency's Army ſhall have a Month's Pay, in part of three Months Pay, for disbanding or engaging the Army for *Ireland*.

A Months Pay for the Army.

A Letter was ordered to be ſent to the General, to require him to retreat forty Miles from the City of *London* with his Army.

Removing 40 miles diſtance, and 3 months at Disbanding.

A Letter was ordered to be ſent to the Parliament's Commiſſioners in the Army, to acquaint them, that the Houſe had ordered a Months Pay to his Excellency's Army as aforeſaid.

A Letter this Day came from Colonel *Blunt*, at Midnight, from *Deptford*, complaining much of ſome Miſdemeanors of Colonel Sir *Robert Pye*'s Forces in the County of *Kent*; which was read this Day, and ordered, that theſe Miſdemeanors ſhould be referred to a Committee, who were to give order to puniſh the Offenders, and to take care theſe Forces be quarter'd in that County for the beſt eaſe thereof.

Sir Rob. Pye's *Troops in* Kent *diſorderly.*

An Ordinance was read for the Indemnity of thoſe Forces that have deſerted the Army, and upon the Queſtion was aſſented unto.

Indemnity to Deſerters of the Army.

Colonel *Roſſiter*'s Regiment was ordered to have their Monthly Pay to the Army to be paid by other hands, and not ſent down with the Armies Pay.

Pay to Colonel Roſſiter's *Regiment.*

That the Forces at *Tinmouth* and *Newcaſtle* ſhall have a Months Pay in like manner as the Army hath.

Newcaſtle *and* Tinmouth.

The Declaration and Charge of the Army were read again this Day, and ordered to be read again to morrow Morning.

This Day alſo another Petition was preſented to the General at St. *Alban*'s, from the County of *Hertford*, which follows at large, *viz.*

To the Right Honourable His Excellency Sir Thomas Fairfax, *Captain-General of the Forces raiſed for the Preſervation of the Kingdom.*

The Humble Petition of divers Knights, Gentlemen, Freeholders, and other Inhabitants of the County of *Hertford.*

May it pleaſe your Excellency,

June 16.

WE do, with much Thankfulneſs, acknowledge the great Care and Pains that have been undergone by thoſe our Faithful and well-betruſted Worthies of Parliament, who even in the ſaddeſt of Times, when deſerted by many of their own Members, have not ſpared the hazard of their Lives, Eſtates, and Fortunes, for the preſervation of the juſt Liberties, Immunities, and Franchiſes of the Free-born Subjects of this Kingdom, being deſperately and ſtrongly invaded by a powerful and malignant Party; and have alſo made many ſolemn Proteſtations and Declarations of their Aims, Intentions, and Purpoſes, whereby we have been greatly encouraged to yield all chearful and due aſſiſtance in ſo neceſſary a Work; yet now, to our great Grief, obſerving, by reaſon (as we conceive) of the Machinations and Contrivances, of ſome deſperately diſaffected to the Weal and Quiet of the Publick in general, and to the Honour of your ever honoured Army in particular, many Obſtructions do daily intervene and fall in, whereby both they and we, notwithſtanding the ſtill real Intentions of our forenamed Worthies, there is yet clearly debarred the fruition of thoſe our often promiſed, much wiſhed for, pray'd for, fought for Rights and Priviledges, whereof we had well-hoped long ſince to have been partakers.

Wherefore we your ſaid Petitioners do moſt humbly intreat and beſeech your Excellency (whom God hath eminently and highly honoured, and we well know to have a tender and compaſſionate Care over the diſtreſſed of this miſerable afflicted Kingdom) to uſe your utmoſt endeavours, and withal expe-

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expedition before the disbanding of the Army now under your Excellency's Command, those Firebrands and Incendiaries, who have endeavoured to raise new Divisions in the Kingdom, or by their slanderous Tongues to fix undeserved Reproaches on the Army, may be brought to condign Punishment; and that we your Petitioners, with the rest of your faithful Brethren in the Kingdom, may have a certain relief in our Grievances hereunto annexed.

And as in Duty bound we shall not fail to yield our best Assistance, with our Persons, Purses, and Prayers, &c.

First, That divers Counties and Corporations in this Kingdom, *viz. Devon, Cornwal, Wales,* &c. formerly in open Hostility, and for the present wholly disaffected to the proceeds of Parliament, have notwithstanding retained equally, with the most cordial to the State, their Priviledges of electing Members, a thing very destructive to the safety of the Common-wealth, which is the chief end of Parliaments, and one main cause of many present Grievances; wherefore we desire, that such Elections may be revoked, and the Places declared uncapable of any such Priviledge during the Sessions of this Parliament, or until such time as it shall appear, that their former Enmity and Rancour against the Parliament be laid aside.

Secondly, That whereas the Honourable Houses have raised up the Expectations of the Well-affected, by promising the improvement of their Time and Care, to apply Remedies against the oppressing Evils, as appears more fully in their Declaration of the *17th.* of *April*, 1646. yet the said Commons have, to their great Grief been frustrated of their hopes; and instead of being relieved, have (to their great Grief) been vexed, imprisoned, and otherways molested.

Thirdly, Our Petitions to the Parliament are not as in former Times either received or answered, whereby no redress can be had to our pressing Grievances, as in particular those against Tythes: That for the Enlargement of our Fellow-Commoners, long (and as we humbly conceive) unduly detained in Prison.

Fourthly, The putting in of the malignant Neuters, and Persons who have not shewn any Affection, or done any Service for the Parliament during these Troubles that have lain upon the Kingdom, into Places of Honour, Trust, and Profit; as Governours of Towns, Forts, Justices of Peace, Commissioners of Excise, Committees of Accompts, &c. whereby the most cordial Friends of the Parliament are slighted, disregarded, and upon very slender Causes Indicted, Committed, Imprisoned.

Fifthly, That the body of the Kingdom consisting much of Copyholders, who have for the most part been very cordial and faithful to the Parliament, may not now be left Finable at the Will of the Lords, in regard the generality of them have been very Malignant, and much disaffected to Parliamentary, or through Reformation, and from whom they cannot but expect very severe Dealing.

Sixthly, That all Men who have received any State Moneys, as well Parliament-Men as others, may be called to an accompt for such Moneys; and that Committees, not as now for the most part Neuters and Malignants, but of approved Fidelity, may be elected for that purpose.

Seventhly, That one *Cardwell*, a Man of a most notorious lewd Life and Conversation, and withal, a most desperate Malignant, did procure a Warrant for the apprehending three Soldiers, under the Command of Colonel *Alban Cox*, brought them before one *King* of St. *Alban's*, a Justice of Peace, where their said Colonel did appear with them, and made it very clear and apparent to the said Justice, That what they did was by Command from their Captain; and no more than what was expressly contained within their Ordinances, which the said Justice did acknowledge, and was fully satisfied in, their Ordinances authorising them thereunto; yet notwithstanding the said

King

King would have committed them to *Hertford* Goal, had not their ſaid Colonel became bound for their appearing the next Seſſions; and the ſaid *Cordwell* did prefer a Bill of Indictment againſt them; and had it not been for two or three honeſt Men that ſerved of the Grand-Jury, the ſaid Bill had been found, to the great peril of their Lives, there being but little Favour or Mercy to be had for poor Soldiers, by the Juſtices of our County, *&c.*

This Petition of the County of *Hertford* was preſented to his Excellency at St. *Alban's*, the *16th.* of *June* preſent, by above two hundred Knights, Gentlemen, and Freeholders of the County of *Hertford*; with the Subſcription of above one thouſand two hundred of the Inhabitants.

June 18. 1647. This Day Mr. *Blackwell*, and Mr. *Aſhhurſt* were ordered to be added to Mr. *Greenhill* and Mr. *Pocock*, for the receiving and iſſuing of the Monies appointed for the Officers now in Town.

Treaſurers added to pay the Soldiers.

That Colonel *Gore*, Mr. *Arthur Bickerſtaffe*, Mr. *James Story*, and Mr. *Maximilian Bard* be appointed Treaſurers for receiving and iſſuing out the Monies to the common Soldiers.

That one Peny in the Pound be allowed to the Treaſurers, for receiving and iſſuing out theſe Monies.

That the Field-Officers appointed by the Houſe, or any three of them, and the three Auditors, or any one of them, ſhall have power to ſign the Warrants for Officers.

A Guard for the Treaſurers.

That the Militia of the City of *London* ſhould be deſired to appoint two Companies of the Trained-Bands, to guard the Treaſurers for iſſuing and paying the Monies to the Officers and Soldiers aforeſaid.

A Letter this Day came from the Commiſſioners of Parliament at St. *Alban's*, with two Petitions incloſed, the one from the County of *Bucks*, and another from the County of *Hertford*, which were preſented on *Wedneſday* and *Thurſday* laſt to His Excellency, the effect whereof we gave you before.

City's Letter to the General, not approv'd of by the Houſe.

The Houſe was informed, That many of the Common-Council of the City were at the Door, they were called in, and preſented a Letter to the Houſe for their Approbation, to be ſent to Sir *Thomas Fairfax*. The Houſe had much Debate thereof, and ſome part thereof the Houſe approved not of; therefore ordered, that ſome Members of the Houſe ſhould go out to the Petitioners, and acquaint them, that the Houſe cannot approve of the ſending this Letter.

City ſends another Letter to the Army.

June 19. The Common-Council of *London* came down again to the Houſe of Commons, and deſired their approbation to a ſecond Letter to the Army. This buſineſs took up much Diſpute, and was the buſineſs of the whole Day; and at laſt it was ordered, that the Common-Council of the City of *London* ſhould be left to themſelves, to give what Anſwer, and write what Letters they think fit to Sir *Thomas Fairfax*, giving an Account thereof to the Houſes.

The Common-Council accordingly agreed on a further Letter, and ſent it to the General and Officers, by their Commiſſioners, to St. *Alban's*, this Afternoon.

The King to be removed to Richmond.

A Letter this Day came from the Commiſſioners attending His Majeſty, that they had ſent to Sir *Thomas Fairfax*, to know his Anſwer to the Votes of both Houſes, concerning the diſpoſal of the

An. 1647.

Perſon of His Majeſty to *Richmond*, which was communicated by a Meſſage from the Lords, to the Houſe of Commons.

Pay for Officers omitted out of the Liſt.

A Liſt of additional Officers that are to receive the benefit of the Monthly Pay, which was omitted out of the former Liſt, was this Day ordered to be approved of, and to receive the benefit of the general Order.

Lord-Mayor to ſuppreſs Tumults.

The Lord-Mayor of *London*, with the Concurrence of the Aldermen and Common-Council, publiſhed an Order this Day to Command the *Trained-Bands and Auxiliaries* to appear punctually at their Colours (taking notice of their former backwardneſs) for the *ſuppreſſing of Tumults*, or other unlawful Aſſemblies in the City.

Army at St. Alban's.

The Head-Quarters of the Army is ſtill at St. *Alban's*, and the General. There's no talk of drawing to a Rendezvous nearer *London*, as ſome would have it; all is very peaceable in the Army, and the unanimity betwixt Officers and Soldiers to be admired; nor any ſtop of Trade or Traffick to or from the City of *London*, in any part of the Army, in any kind, as ſome have ſuggeſted. The Months Pay promiſed the Army is much wanted, but it was this Day ſent from *London* to St. *Alban's*.

The King at Newmarket.

The King is ſtill at *Newmarket*, very pleaſant and chearful, and takes his Recreation daily at Tennis; His Majeſty ſeems to delight much in the Company and Diſcourſe of Cornet *Joyce*, who brought him from *Holmby*, and ſent a Meſſenger to St. *Alban's* on purpoſe for Cornet *Joyce* to come to *Newmarket*.

Mr. Peters diſcourſed with the King.

Mr. *Peters* likewiſe was at *Newmarket*, and had much Diſcourſe with His Majeſty; His Majeſty told Mr. *Peters*, that he had often heard talk of him, but did not believe he had that Solidity in him he found by his Diſcourſe, that he would have further Conference with him another time. Mr. *Peters* moved His Majeſty to hear him preach, but His Majeſty refuſed.

Major Boſvil's eſcape in a Woman's Apparel.

Major *Boſvil* that brought the Letters to the King from *France*, and was apprehended at *Holmby*, and brought up Priſoner to *Newgate*, and eſcaped thence in Womens Habit, came this Week to St. *Alban's*, and was not at firſt known or diſcovered; but upon ſome intimation who he was, Guards were ſet, and watch laid for him, but he got away privately and eſcaped.

June 16.

The Heads of the preſent Grievances of the County of Glamorgan, *declaring the cauſe of their late Riſing and taking up Arms. Publiſhed for the ſatisfaction of all other Counties of* England *and* Wales, *who groan under the ſame, or like burthens of Oppreſſion and Tyranny, now exerciſed by that Arbitrary Power and Authority pretended to be derived from the Two Houſes of Parliament, throughout all His Majeſty's Dominions, by thoſe who ſtile themſelves Committees, contrary to Juſtice, and the known Laws of the Land*, viz.

Firſt, THat their riſing was againſt all Committees, not as being Inveſted with a Power from the Parliament, but as abuſing that Power and Truſt in them repoſed by the Parliament, to the prejudice of this Country in particular, and His Majeſty's Subjects in general, contrary to the known Laws of the Kingdom.

Secondly, By making all Men of conſiderable Eſtates Delinquents, after an arbitrary and illegal manner, bringing others out of other Countries, meerly out of Faction to out-vote the reſt of the Gentlemen, who out of a juſt ſenſe of our Sufferings, deſire to ſpare their almoſt undone Country.

Thirdly,

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Thirdly, In that they being deſired to give an account of a vaſt Sum of Money raiſed from the Country, the ſame was denied; and if any preſumed to ſpeak to them in the behalf of the oppreſſed Country, they were preſently made Delinquents, and their Deſigns voted Scandalous and Malignant; by which we loſt all our liberty of free-born Subjects.

Fourthly, That they, after the arbitrary way, have continued Gariſons and Contributions to their own private Ends, contrary to paſt Ordinances of Parliament. That they have renewed an old Order, which was for the 25*th* part for the Relief of *Ireland*, intended but for one Year, and was expired before the reducement of this Country, converting the Money thus raiſed to their own private Uſes.

Fifthly, That the Committees have ſet an Order on foot, with Warrants directed forth for the Levying of 500 *l.* and odd Money, pretended to be for the Loſs of one in *Ireland*; which was converted to their own uſe.

Sixthly, That they, in all their Sequeſtrations made in the name, and to the uſe of the State, having ſequeſtred the Eſtates of moſt of the chief Gentlemen of that County, have not only enriched themſelves thereby, but their Servants and Retainers, who, as well as their Maſters, inſult over the Gentry. The Committees having never returned one Peny to the Parliament or State, out of all Sums they received.

Seventhly, They have committed ſome of the Clergy, and have Sequeſtred and forbidden to pay Tythes to all the ableſt and ſufficienteſt Divines in the County, for no other Cauſe, but that they out of their tender Conſciences, refuſed to take ſuch Oaths as were tendred them. And the Committees did not provide any other to diſcharge their Cures and Places.

Eighthly, The Committees have often given out in Speeches, That if they ſaw any likelihood of any Power to come againſt them, they would be ſure to ſecure the Perſons of all the Gentry, that they thought would be active, and ſend them on Ship-board, a Priſon (as they uſe it) as bad as the *Spaniſh-Inquiſition*, and at that preſent there were private Warrants iſſued for the ſeizing on the Perſons of ſome of the Gentry, and Horſe and Foot employed for that purpoſe.

Ninthly, The Gentry ſent a Letter unto Major-General *Langborne*, by Major *Weekes*, expreſſing theſe their Grievances, and their readineſs to pay One Thouſand Three Hundred Pounds *per* Month, for the maintenance of his Soldiers, as they had formerly done; and that their Riſing was not to oppoſe him or his Army, but only to free themſelves from the ſervile Yoke of the Committees, and for the ſecurity of their Perſons. Inſtead of Anſwer to this Letter, Major-General *Langborne* clapt up the Gentleman, and detains him yet Priſoner.

Tenthly, The Committees did exact as a Bribe, Twenty Pounds of a Reverend, Learned, and painful Divine, for ſparing to make him a Delinquent. And the Committees did threaten a Lunatick Mans Wife, to make her Huſband a Delinquent, unleſs ſhe would give them Thirty Pounds; which the Gentlewoman gave, leſt her Husband ſhould be troubled in that Caſe. And another Man but ſaying, *I pray God mend theſe Times*, was threatened to be made a Delinquent.

Eleventhly, And thoſe who were Sequeſtred, if their Rents were not punctually paid on the Day they became due, the Committee would ſend their Agents with a Guard of Muſqueteers, and there leave them at Free-Quarter.

The ſeveral particular Grievances before-mentioned, and many others of the like nature, the Gentlemen will make good, by ſufficient credible Witneſſes upon Oath.

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A rising in Arms in Glamorgan-shire, *for the King and Sir* Thomas Fairfax.

This Day, being *Munday June* 21. in the House of Commons Letters were read from Major General *Langhorne*, concerning divers that rise in *Glamorganshire*, and other parts of *Wales*, who declare themselves for the King and Sir *Thomas Fairfax*; the chief Promoters whereof are said to be Sir *Edward Thomas*, Baronet, Sir *Richard Basset*, Sir *Henry Stradling*, Major-General *Stradling*, Colonel *Kames*, and others, who rumour their Forces to be about a Thousand in all *Wales*, ready to join, but Major-General *Langhorne* is drawing Forces to suppress them in *Glamorganshire*, with those Foot that he hath, and intended speedily to march to them with about Six Hundred Horse. These Letters were ordered to be taken into Consideration the next Day.

Mutiny in Yorkshire.

Another Letter was read from Major-General *Poyntz*, from *York*, desiring larger Commission to stop the Mutinying of the Soldiers, and advertising what Engagements he had undertaken to satisfie them, and desiring Monies: Which was also ordered to be taken into Consideration the next Day.

Votes for the King's going to Richmond.

A Letter was agreed upon this Day, and sent by Sir *Peter Killegrew* to the Commissioners at *Newmarket*; and a Letter to the King, with the Votes inclosed for his going to *Richmond*.

Undue Elections and their Qualifications voted.

The Representation of the Army was again read, and the House of Commons insisted upon the first Branch, *viz.* That the Houses may be *speedily purged* of such Members, as for their Delinquency, or for Corruptions, or abuse to the State, or undue Elections ought not to sit there; whereof, as was said, the late Election in *Cornwal*, *Wales*, and other Parts of the Kingdom afford many Examples.

This Branch the House went wholly through, and made several Votes, as followeth.

1. That no Person that hath been in actual War against the Parliament, or hath acted by the Commission of Array, or voluntarily, either directly or indirectly aided the King in this War against the Parliament, or received Pardon from the King, shall presume to sit in the House.

2. That if any such shall presume to sit in the House after this Day, who know themselves to be guilty, they shall incur the displeasure of the House.

3. That the Committee for examining of such Cases be revived; which was compleated to a greater number.

4. That a Declaration be brought in to publish to the Kingdom, for all such who have any such Charge against any Members, to come in and be heard, and the Committee to report it.

5. That the said Committee bring in their Reports on *Friday* next, concerning the Examination of those Charges of Delinquency, against those Members which they were appointed to examine.

6. That Sir *Robert Harlow*, and the other Committee for examining of Elections committed to them, bring in their Reports on *Monday* next.

Ordered all Officers who give false Certificates for their Arrears, shall forfeit the whole.

That 10000*l.* borrowed of the Treasurers at *Weaver's-Hall*, be paid to the common Soldiers, to be repayed out of the Moiety at *Goldsmiths-Hall* (where formerly ordered) with all speed.

The General consents to the King's removal to Richmond.

A Letter was read in the House from his Excellency Sir *Thomas Fairfax*, about the King's removal from *Newmarket* to *Richmond*, according to the Votes of the House, whereunto his Excellency willingly submitted.

Another

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Another Letter was likewiſe read from the Commiſſioners with His Majeſty at *Newmarket*, about the ſame buſineſs, of the King's removal, whereunto (they ſaid) His Majeſty had alſo condeſcended, and named *Thurſday* Morning next to remove from *Newmarket* towards *Richmond*.

Both Houſes ordered the ſpeedy fitting and preparing of *Richmond*, for His Majeſty's Entertainment and Accommodation.

Agitators to the Trinity-Houſe.

A Letter was alſo read in the Houſe from the Agitators of the Army, to the Society of the *Trinity-Houſe*, concerning the Navy; and of their verbal Anſwer to them.

Sir Rob. Pye *his Troop.*

Ordered that Sir *Robert Pye*'s Troop do not remove their Quarters, or return to the Army, without the Order of both Houſes.

General's Proclamation againſt moleſting the Country.

We had this Day from St. *Alban*'s (as yet the General's Head-Quarters, the Copy of a *Proclamation* by the General, that no Soldier moleſt any Country-man, their Perſons or Goods, in their Marches: And for better ſatisfaction, we will give you the Proclamation it ſelf, as followeth.

Sir Thomas Fairfax, *Knight, Commander in Chief of the Forces raiſed by the Parliament.*

WHereas divers Complaints have been made of ſeveral Abuſes, Diſorders, and Miſdemeanors lately committed by ſome Soldiers of this Army, both in their Quarters, and in their Marches through the Countries reſpectively, contrary to the Laws of War, and tending much to the diſhonour and prejudice of the Army; they taking liberty thereunto, under pretence of want of Pay: For prevention of the like, and all other Diſorders and Abuſes that may hereafter happen, or be committed under the ſame, or any other pretence, I do hereby ſtrictly Charge and Command all Soldiers of the Army, Horſe and Foot, and all others whom it may concern, not to offer any Violence, or do any Prejudice at all to any Country-man, or any other whomſoever (in their Perſon or Goods) either in their Quarters, or upon their March through the Countries reſpectively, as they tender the Honour of the Army, and as they tender the avoiding of the ſevereſt Puniſhment that may be inflicted upon ſuch Offenders by Council of War. And I do hereby further Charge and Require all Officers of the Army, both Horſe and Foot, to uſe their utmoſt endeavours to prevent the reſpective Soldiers under their Commands, from committing any ſuch Diſorders, and to queſtion ſuch Soldiers as ſhall ſpeak any thing in derogation to the Authority of the Parliament, and to bring all ſuch as are Offenders to condign Puniſhment for the ſame.

To the Martial-General, to be publiſhed at the Head of every Regiment, both of Horſe, Foot, and Dragoons, by beat of Drum, and ſound of Trumpet.

Tho. Fairfax.

This Day, being *June* 22. more Letters were read to both Houſes, from the General, and Parliament's Commiſſioners at St. *Alban*'s, giving to underſtand, that the Monthly Pay for the Army came thither *Saturday* Night late.

To remove 40 miles from London.

The ſame Day alſo came the Commiſſioners for *London*, and preſented a Letter to the General, the Votes of both Houſes, for the Armies *removing Forty Miles* from *London*: His Excellency hath received and returned Anſwer, that he ſhould very ſhortly have a Counſel of War about the ſame, and would then return a poſitive and ſatisfactory Anſwer.

Judge Jenkins.

The Houſe this Day had Debate of the buſineſs againſt Judge *Jenkins*, Priſoner in the *Tower*, and appointed Mr. Sollicitor *St. Johns* to

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to Prosecute against them in the *King's-Bench*, according to Law, this Term, and the Publishers of his Books. And Mr. Sergeant *Jermin*, Mr. *Bradshaw*, and Mr. *Pryn* ordered to prepare the Matter of Fact against him, and Mr. *Beck* to be the Sollicitor.

A Months Pay for the Northern Forces.

The Letters from Major-General *Poyntz* was again read, and ordered thereupon that 10000 *l.* be paid out of the Monies in *Weavers-Hall*, towards the payment of a Months Pay to the Forces of the *Northern* Association: And that so much as will make up this 10000 *l.* a Month may be advanced by the Committee of the *North*, out of the *Northern* Sequestrations.

That Major General *Poyntz* do secure the Persons of such as shall come into those Parts for the disturbance of his Forces. And that he take care for the quieting of his Regiments of Horse.

Glamorganshire.

The Letters from Major-General *Langhorne* were likewise resumed, and ordered that some Members of the House should give in the Names of such of the Insurrectors as are Justices of the Peace; to the Commissioners of the Great Seal, that they may be put out.

Major General Langhorne.

That a Copy of Major-General *Langhorne's* Letters be sent to the General, of whose Care to prevent such Distempers we understood further thus much, That his Excellency had writ Letters and sent to *Glamorganshire*, desiring them to return to their Homes, and lay down their Arms, expressing further his great dislike of such Risings.

Provisions of War for Wales.

The House ordered twenty Barrels of Powder, Match, and Bullet, proportionable for the supply of *Cordiffe*-Castle. And twenty Barrels of Powder, with Match and Bullet, for Major-General *Langhorne's* Forces.

Ordinance for 60000 l. per Mensem.

Both Houses this Day passed the Ordinance for raising 60000 *l. per Mensem* towards the maintenance of the Forces in this Kingdom, and for the Service of *Ireland*.

The Proportion for every County.

The respective Sums charged upon each County by the said Ordinance to be paid Monthly is as followeth, *viz.* upon the County of *Bedford*, the Monthly Sum of 673 *l.* 13 *s.* 11 *d.* 3 *q.* upon the County of *Berks*, the monthly Sum of 683 *l.* 15 *s.* 9 *d.* upon the County of *Buckingham*, the monthly Sum of 815 *l.* 8 *s.* upon the County of *Cambridge*, the monthly Sum of 1462 *l.* 16 *s.* 6 *d.* 1 *q.* upon the Isle of *Ely* the monthly Sum of 490 *l.* 18 *s.* 1 *q.* upon the County of *Chester*, the monthly Sum of 345 *l.* 4 *s.* 11 *d.* 1 *q.* upon the City and County of *Chester*, the monthly Sum of 39 *l.* 13 *s.* 11 *d.* upon the County of *Cornwall*, the monthly Sum of 1228 *l.* 5 *s.* 6 *d.* 1 *q.* upon the County of *Cumberland*, the monthly Sum of 342 *l.* 9 *s.* 4 *d.* upon the County of *Devon*, the monthly Sum of upon the City and County of *Exon*, the monthly Sum of 117 *l.* 9 *s.* 2 *d.* 1 *q.* upon the County of *Dorset*, the monthly Sum of 935 *l.* 10 *s.* 10 *d.* 3 *q.* upon the Town and County of *Pool*, the monthly Sum of 9 *l.* 16 *s.* 7 *d.* upon the County of *Durham*, the Sum of 159 *l.* 2 *s.* upon the County of *York*, the monthly Sum of upon the County of *Kingston upon Hull*, the monthly Sum of 50 *l.* 18 *s.* 9 *d.* upon the County of *Essex*, the monthly Sum of 4547 *l.* 9 *s.* 5 *d.* upon the County of *Glouceſter*, the monthly Sum of 1212 *l.* 3 *s.* 5 *d.* upon the City and County of *Glouceſter*, the monthly Sum of 134 *l.* 13 *s.* 9 *d.* upon the County of *Hereford*, the monthly Sum of 168 *l.* 2 *s.* 3 *d.* upon the County of *Hertford*, the monthly Sum of 1638 *l.* 15 *s.* 5 *d.* 3 *q.* upon the County of *Huntington*, the monthly Sum of 687 *l.* 3 *s.* 5 *d.* 3 *q.* upon the County of *Kent*, with the City and County of *Canterbury*, and the *Cinque-Ports* within the County of *Kent*, the monthly Sum of

of 4763 *l.* 1 *s.* 1 *d.* upon the County of *Lancaſter*, the monthly Sum of 529 *l.* 3 *s.* 2 *d.* upon the County of *Leiceſter*, the monthly Sum of 467 *l.* 9 *s.* 10 *d. ob.* upon the County of *Lincoln*, the monthly Sum of 153 *l.* 8 *s.* 1 *d. ob.* upon the City and County of *Lincoln*, the monthly Sum of 64 *l.* 12 *s.* 9 *d. ob.* upon the City of *London*, the monthly Sum of 3907 *l.* 19 *s.* 2 *d.* 3 *q.* upon the County of *Middleſex*, City and Liberty of *Weſtminſter*, the monthly Sum of 1521 *l.* 17 *s.* 9 *d.* upon the County of *Monmouth*, the monthly Sum of 192 *l.* 19 *s.* 1 *d.* upon the County of *Northampton*, the monthly Sum of 591 *l.* 11 *s.* 11 *d.* 1 *q.* upon the County of *Nottingham*, the monthly Sum of 353 *l.* 19 *s.* 3 *d.* upon the Town and County of *Nottingham*, the monthly Sum of 11 *l.* 14 *s.* 6 *d.* upon the County of *Norfolk*, the monthly Sum of 4763 *l.* 1 *s.* 1 *d.* upon the City and County of *Norwich*, the monthly Sum of 246 *l.* 11 *s.* 5 *d.* 1 *q.* upon the County of *Northumberland*, the monthly Sum of 100 *l.* 16 *s.* 10 *d.* 1 *q.* upon the Town of *Newcaſtle*, the monthly Sum of 29 *l.* 17 *s.* upon the County of *Oxford*, the monthly Sum of 779 *l.* 13 *s.* 11 *d.* 1 *q.* upon the County of *Rutland*, the monthly Sum of 128 *l.* 1 *s.* 1 *q.* upon the County of *Salop*, the monthly Sum of 553 *l.* 19 *s.* 9 *d.* 3 *q.* upon the County of *Stafford*, the monthly Sum of 454 *l.* 15 *s.* 4 *d.* 3 *q.* upon the Town of *Litchfield*, the monthly Sum of 10 *l.* 14 *s.* 8 *d.* upon the County of *Somerſet*, the monthly Sum of 2050 *l.* 11 *s.* 5 *d.* upon the City and County of *Briſtol*, the monthly Sum of 112 *l.* 12 *s.* 10 *d. ob.* upon the County of *Southampton*, the monthly Sum of 1514 *l.* 4 *s.* 5 *d.* 1 *q.* upon the Town and County of *Southampton*, the monthly Sum of 62 *l.* 8 *s.* 8 *d.* 1 *q.* upon the Iſle of *Wight*, the monthly Sum of 208 *l.* 2 *s.* 6 *d.* 1 *q.* upon the County of *Suffolk*, the monthly Sum of 4763 *l.* 1 *s.* 1 *d.* upon the County of *Surry*, with the Burrough of *Southwark*, the monthly Sum of 1347 *l.* 8 *s.* upon the County of *Suſſex*, and the Parts within the County of *Suſſex*, the monthly Sum of 2646 *l.* 2 *s.* 9 *d.* 3 *q.* upon the County of *Warwick*, the monthly Sum of 621 *l.* 3 *s. ob.* 1 *q.* upon the City and County of *Coventry*, the monthly Sum of 679 *l.* 10 *s.* upon the County of *Worceſter*, the monthly Sum of 704 *l.* 18 *s. ob.* upon the City of *Worceſter*, the monthly Sum of 43 *l.* 5 *s.* 6 *d.* 1 *q.* upon the County of *Wilts*, the monthly Sum of 1421 *l.* 18 *s.* 9 *d.* 3 *q.* upon the County of *Weſtmorland*, the monthly Sum of 66 *l.* 9 *s.* 2 *d. ob.* upon the Iſle of *Angleſey*, the monthly Sum of 50 *l.* 17 *s.* 10 *d.* upon the County of *Cardigan*, the monthly Sum of 122 *l.* 9 *s.* 10 *d.* 3 *q.* upon the County of *Carmarthen*, the monthly Sum of 100 *l.* 15 *s.* 6 *d.* upon the County of *Carnarvan*, the monthly Sum of 42 *l.* 6 *s.* 5 *d.* 3 *q.* upon the County of *Denbigh*, the monthly Sum of 54 *l.* 6 *s.* 10 *d.* upon the County of *Flint*, the monthly Sum of 33 *l.* 9 *s.* 4 *d. ob.* upon the County of *Glamorgan*, the monthly Sum of 131 *l.* 15 *s.* 10 *d.* upon the County of *Merioneth*, the monthly Sum of 31 *l.* 11 *s.* 6 *d.* upon the County of *Montgomery* the monthly Sum of 123 *l* 2 *s.* 8 *d* 1 *q* upon the County of *Pembroke*, the monthly Sum of 116 *l.* 4 *s.* 7 *d* 1 *q* upon the County of *Radnor*, the monthly Sum of 73 *l.* 2 *s.* 7 *d. ob.* upon the Town of *Hereford Weſt*, the monthly Sum of 10 *l.* 2 *s.* 6 *d.* 3 *q.*

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And this Ordinance is to continue for a Year enſuing, *viz.* from the 25*th.* of *March* laſt, to the 25*th* of *March* 1648.

On *June* 23. 1647. The Commons received a Letter from Colonel *Birch*, a Member of their Houſe, that in his Paſſage towards *Hereford*, he fell into the Quarters of ſome of Colonel *Rainsborough*'s Forces,

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Colonel Birch *ſtaid and releaſed.*

Forces, and (upon an Order to ſtop Officers in Commiſſion that paſs the Guards) he was ſent to the General.

The Houſe debated the buſineſs, and appointed a Letter to be ſent from the Houſe to his Excellency, that if he was not freed, he might be forthwith diſcharged, to proſecute the buſineſs in *Ireland*; and not long after this we underſtand that Colonel *Birch* was diſcharged by the General, and uſed with great reſpect.

Debate about the 11 *Members.*

The Commons this Day went on upon the Repreſentation of the Army, and inſiſted upon the ſecond Branch; in which fell the Charge againſt the Eleven Members of their Houſe; it took up a long Debate.

Some Motions were made, about ſending Commiſſioners to the Army about it: Other Motions about a Letter to be ſent to the General; and at laſt it was reſolved upon the Queſtion, That the Houſe adjourn for an Hour; and a Committee in the mean time to draw up a Letter to be ſent to his Excellency, *that the Houſe is* ready to receive from him any particular Charge *againſt* the ſaid Members: And accordingly a Letter was brought in, paſſed, and ſent to his Excellency, That what ſhall be particularly charged againſt their Members, with Teſtimony and Witneſſes *ſhall be received*, and the Houſe to proceed in a legal way therein.

The Queſtion was put, whether to Morrow Morning the Houſe ſhould debate the third Propoſition thereof, and it paſſed in the Negative.

The fourth Propoſition was carried alſo in the Negative.

And the fifth Propoſition was ordered to be debated to Morrow.

The Army's real to the City.

The Committee of Common-Council returned this Night from the Army, and brought a Letter from the General further to ſatisfie the City of the real Intentions of the Army towards them.

City to ſend to the General for a good Correſpondence.

June 24. 1647. The Common-Council of this City came this Day to the Houſe, and acquainted them with a Remonſtrance and a Letter ſent from his Excellency's Army; and in proſecution thereof they deſired, 1*ſt*. That they may have further leave to ſend ſome of their Members again to the Army to hold a good Correſpondence, as Commiſſioners for the City with them.

2. That all Forces liſted by Order of the Committee of Safety, and the Committee of the Militia may be diſcharged.

3. That the diſcontented reduced Officers and Soldiers may be put out of the Lines of Communication.

The two firſt the Houſe upon ſome Debate agreed.

To the laſt they ordered, That they had put it into ſuch a way, as they in their Judgments had thought fit.

The Letter from the General, another from the Commiſſioners of the Army, and the Remonſtrance from the Army, were all this Day read and debated. The Remonſtrance follows at large, *viz.*

An

22 *Caroli* I.

An humble Remonſtrance from his Excellency Sir Thomas Fairfax, *and the Army under his Command, concerning the preſent ſtate of Affairs, in relation to themſelves and the Kingdom; with their Deſires and preſent Reſolutions thereupon.*

Preſented to the Commiſſioners at St. Alban's, *to be by them humbly repreſented to the Parliament.*

OUR Deſires, as Soldiers, in behalf of our ſelves and other Soldiers that have faithfully ſerved the Parliament in this Kingdom, as alſo our remaining Diſſatisfactions in relation thereunto, may be clearly collected out of our ſeveral Papers that have been formerly preſented to the Parliament concerning the ſame; to which Particulars we have not yet received any further ſatisfaction.

In our laſt Repreſentation it may appear what our Deſires are as Members of the Common-wealth, in behalf of our ſelves and all others, for the clearing, ſettling, and ſecuring of the Rights, Liberties, and Peace of the Kingdom, for the juſtneſs, reaſonableneſs, neceſſity, and common Concernment whereof unto all, we dare appeal to the whole Kingdom, and the World; yet we have hitherto received no Anſwer thereunto, nor can hear of no Conſideration taken thereupon, to put the things contained therein into any way of Reſolution or Diſpatch.

We have ſince that, in purſuance of the firſt and ſecond Heads of our Deſires in the ſaid Repreſentation, delivered in a Charge againſt divers Members of the Houſe of Commons, for divers Deſigns and Practices to the abuſe and diſhonour of the Parliament, the inſufferable injury of the Army, the infringement of the Rights and Liberties both of Soldiers and Subjects, the breach or hazard of the Peace of this Kingdom, and the hindering of the Relief of *Ireland*, &c. Upon which, though the main things charged, with the miſchievous Deſigns, and further dangerous Conſequences of them; as alſo the conſtant and continued Activity of all or moſt of the Perſons charged in relation to thoſe things, be for the moſt part ſufficiently and notoriouſly known, eſpecially to the Parliament it ſelf; yet we find neither any thing done, upon what is ſo known, nor any way reſolved on, or admitted by the Parliament, for the examination or diſcovery of what is leſs evident unto them: But rather (as if neither the things Charged, nor the preſent ſad Effects, nor future ill Conſequences thereof were at all conſiderable) the whole buſineſs ſeems to be ſlighted, paſt over, or ſet aſide.

Laſtly, We did with theſe deliver in another Paper (whereof here is a Copy annexed) containing divers juſt and neceſſary things, which we did deſire might be provided for, and done for the better proceeding in the Premiſſes with more ſafety to our ſelves and the Kingdom, and with more aſſurance or hopes of a timely and happy iſſue.

To which things deſired (which we think all Men will judge reaſonable, juſt, and neceſſary) we have yet received no Anſwer, or Reſolution, nor can find any Conſideration at all had of them, ſave that a Months Pay is ſent down for the Army, (whilſt thoſe that have deſerted the Army, receive at *London* much more) and that ſome Votes have been paſſed for annulling the Orders of the Committee (pretended) for Safety, about Liſting of Men, and drawing of Forces together; which Votes we find rendred but vain and illuſive, by the continued under-hand Practices of thoſe whom we have Charged, and their Accomplices, in liſting and engaging Men for a new War; and by a later Days Votes, not admitting that the Forces ſo liſted or engaged, ſhould by publick Order be diſmiſſed or diſcharged, which, with other things, we cannot but attribute chiefly to the prevalent Inſtance of the ſame Perſons.

Now whereas we find that our firſt Deſire in the Paper laſt mentioned (for preſent ſuſpending the Perſons impeached from ſitting in the Houſe) is judged by ſome to be againſt the courſe and priviledge of Parliament, or of ill conſequence in the precedent of it, the Charge being but general, and no particular Proof as yet produced to render the proceedings Legal, we cannot but remind the Parliament.

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1. That as the moſt and many things charged (with the ſad Effects and Conſequences of them) ſo the conſtant and continued activity of all or moſt of the Perſons charged in relation thereunto, in miſinforming, deluding, abuſing, or ſurpriſing the Houſe, and otherwiſe, are ſufficiently known to the Parliament it ſelf, ſo as the Houſe might upon their paſt and preſent cogniſance of the ſame, moſt juſtly proceed to ſuſpend them, as in many other Caſes upon far leſs occaſions, (which never could have produced ſuch ſad effects to the Kingdom) they have done many other of their Members, meerly for Words ſpoken, or things moved in the Houſe (alledged to be but againſt Order or Cuſtom of the Houſe) and this without any Tryal, Proof, or Charge, but meerly upon the Houſes own Cogniſance of the things, as we could inſtance in many Caſes ſince the Parliament began.

2. Whereas many of the things to which the Charge relates, are things ſpoke, moved, or done in the Houſe, ſo as we have yet no clear way opened, particularly to charge or mention them, or to produce Proofs to them, without ſome pretence againſt us of breach of Priviledge; and therefore (though we think no Priviledge ought to protect evil Men in doing Wrong to particulars, or Miſchief to the publick, yet) we have been hitherto ſo tender of Parliament Priviledges, as that we have only remonſtrated the evil of ſuch things done; and ſuppoſing the Houſe to have been (as we did and do believe, and if the way were open, without breach of Priviledge, ſhould not doubt to prove it was) ſomeways miſinformed, deluded, ſurpriſed, or otherwiſe abuſed, in thoſe things by evil Members, we have frequently, in former Papers (before the Charge) put the Parliament upon it, (who without colour of breach of Priviledge might do it) to find out and diſcover who they were that had ſo abuſed them, and to diſengage the Honour of Parliaments from the evil Practice, and Deſigns of ſuch Incendiaries.

Now ſince the ſame Difficulties or Prejudices be yet in our way (as to the particular Charge or Proof of thoſe things againſt the Members and the Parliament) though ſo often put upon it in our former Papers, yet through the powerful Intereſt of the Perſons guilty, hath not taken any cogniſance, what Members or others have ſo abuſed them, to draw the Parliament to ſuch Diſhonour and Inconveniencies, we cannot but again more fully and clearly aſſert, (as we have in former Papers, and ſhall yet more particularly, if need be, remonſtrate) That divers things lately done and paſſed from the Parliament againſt this Army, as particularly the Order for ſuppreſſing the Petitioners, that high Declaration againſt it, and againſt all that ſhould proceed in it, puting the faithful Servants of the Parliament and the Kingdom out of the protection of the Law, and expoſing them as Enemies to the State, *&c.* to the forfeitures of the Eſtates, Liberties, Life and all, but for going about in an humble, peaceable, and inoffenſive way, to deſire what was undeniably their due, and dearly earned; and many other ſuch like Proceedings both againſt the Army and others, do carry with them ſuch a face of Injuſtice, Oppreſſion, Arbitrarineſs, and Tyranny, as we think is not to be parallel'd in any former Proceedings of the moſt arbitrary Courts, againſt any private Men, but hath brought in inſufferable diſhonour upon the Parliamentary Authority and Proceedings, (which we are, and others ought to be, deeply ſenſible of) hath tended to diſoblige all Men, eſpecially Soldiers, from the ſame, to deſtroy all juſt freedom, either of Soldiers or Subjects, and hath conduced to all other the ſad Effects, and worſe Conſequences expreſſed in the Charge; and gives us and others cauſe to conclude, That thoſe Worthies who have formerly acted, and carried on things in Parliament for publick Good, Right, and Freedom, are now awed or over born by a prevailing Party of Men, of other private Intereſts, crept in, and that neither we, nor any other can reaſonably expect Right, Freedom, or Safety, (as private Men) or to have things acted in Parliament for publick Good, while the ſame Parties continue there in the ſame Power, to abuſe the name and authority of Parliaments, to ſerve and proſecute their private Intereſts and Paſſions, and, under the priviledge of Parliaments, to ſhelter themſelves under the worſt of Evils or Miſchiefs they can do, though to the ruine of the Kingdom.

We

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We are in this Caſe forced (to our great grief of Heart) thus plainly to aſſert, The preſent Evil and Miſchief, together with the future worſe Conſequences of the things lately done, even in the Parliament it ſelf (which are too evident and viſible to all) and ſo in their proper Colours, to lay the ſame at the Parliament's Doors, until the Parliament ſhall be pleaſed, either of themſelves to take notice, and rid the Houſes of thoſe that have any way miſinformed, deluded, ſurpriſed, or otherwiſe abuſed the Parliament, to the vehement preſſing and paſſing of ſuch foul things there; or ſhall open to us and others, ſome way how we may regularly, and without the ſcandal of breaking Priviledges, come to charge and proſecute thoſe particular Perſons, that (in truth) have ſo abuſed the Parliament (as well as our ſelves) even for thoſe Miſinformations, and other evil and indirect Practices or Proceedings in Parliament, whereby they have abuſed the ſame, as in our ſaid Charge and former Papers is ſet forth. And here, if we may, we ſhould humbly offer it to conſideration, whether it were not a neceſſary expedient, for prevention or remedy of ſuch Evils in future, that in things ſo clearly deſtructive to the common Right and Liberties of the People, and the ſafety of the Kingdom, there ſhould be a liberty for Diſſenting Members in the Houſe of Commons (as it is allowed in the Houſe of Peers) to enter their diſſent, and thereby acquit themſelves from the guilt or blame of what Evils may enſue; that ſo the Kingdom may regularly come to know who they are that perform their Truſt faithfully, and who not. And this Proviſion for future, as alſo our deſires for Remedy in the preſent Caſes, as it were clearly good and neceſſary in the reſpects premiſed, ſo we think the ſame may well be without further prejudice or diſcouragement in any other reſpects to ſucceeding Members of Parliament; Provided always, That no Man ſhall be queſtioned or cenſured for any thing ſaid or done in Parliament, any further than to excluſion from that Truſt? which is all that in the preſent caſe we ſhould deſire upon any ſuch Grounds.

And that future liberty of entering the ſence, we do not here propoſe as a thing we any way inſiſt on to the prejudice of Parliament Priviledges, we only offer that to Conſideration, and that from good Wiſhes to the Priviledges of Parliament, to render them more laſting, by being leſs innocent; and indeed, whoever moſt adores or tenders thoſe Priviledges, will beſt expreſs his Zeal towards them, in taking care they be not abuſed or extended to private Wrongs or publick Miſchief; for we clearly find, and always Men may ſee it, That Parliament Priviledges, as well as Royal Prerogatives, may be perverted and abuſed, or extended to the deſtruction of thoſe greater Ends for whoſe Protection and Preſervation they were admitted or intended, *viz.* the Rights and Priviledges of the People, and ſafety of the whole; and in caſe it be ſo, the abuſe, evil, or danger of them is no leſs to be contended againſt; and a remedy thereof no leſs to be endeavoured than of the other.

And whereas the Injuſtice in that particular, of the Declaration againſt the Army, for their juſt and innocent Petition, may ſeem to have been recompenſed in the late expunging thereof out of the Journal Books, we confeſs that hath been ſo in great meaſure, as to the preſent or particular Injury unto the Army therein; and we cannot but acknowledge ſo far, That the Juſtice that lies in thoſe Votes, for expunging thereof, and for their own and the Armies particular reparation, we ſhould never wiſh more, nor ſcarce have inſiſted on ſo much to any diſhonour of Parliament in future; we ſhould rather have been ſatisfied with the Parliament's declaring, how, and by whom they had been miſinformed, ſurpriſed, and otherwiſe abuſed, in the framing, propoſal, or paſſing thereof as it was; but as to that particular, or any other of that Nature, we ſay as followeth, *viz.*

1. We never did nor do value or regard our own Injury or Reparation, in any compariſon to the conſequence of the one, to the prejudice of the other, or to the future ſecurity of the common Right and Freedom of this Nation; and accordingly, we do not account any Reparation conſiderable, that extends but to our ſelves in the preſent Caſes, and does not in ſome ſort ſecure our ſelves, and all others, from danger of the ſame, or worſe Injuries or Oppreſſions (as private Men) from the Wills or Paſſions of the ſame Perſons that have offered and acted ſuch things againſt us, while an Army.

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2. We cannot but imagine and conſider (according to general report) how the expunging of that Declaration was carried and obtained; and upon what Grounds and Intentions it was given way to; but had thoſe that procured it, been all for expunging it, and that freely, yet how can we expect better, but that the ſame Men, who at one time carried ſuch a Declaration, and another time expunged it, may the next Day obtain the like or worſe (upon any occaſions wherein it may ſerve their private Ends or Intereſts) if they continue in the ſame Power and Sway, and be let paſs in deluding and ſurpriſing the Parliament, as they have done in the paſt Particulars.

3. The apparent diſhonour and prejudice brought upon the Parliament, in having ſuch a Declaration ſo paſt, as they ſhould ſoon after (without any alteration in the pretended Ground of it find cauſe (for ſhame of the World) to expunge, we think, ſhould engage thoſe Members, in point of Honour, to find out and diſcover how and by whom the Parliament had been abuſed, or otherwiſe brought into ſuch an Inconveniency; and the Parliament may in this ſee the Temper, as by-ſtanders do the prevalence, of thoſe Members that abuſed the Parliament in that Declaration, who will and can make the authority of Parliament to lie under the diſhonour of it, in a bare expunging or retracting, rather than admit of any Conſideration to acquit the authority of Parliament, that will tend to fix the blame on thoſe particular Members that had deſerved it; and this certainly would be admitted, and done rather than to ſlight it over with a bare expunging, were not ſome Men more tender of, and more ſwayed with ſuch Conſiderations and Conſequences as may tend to the prejudice of Perſons, than ſuch as tend to the general prejudice and diſhonour of Parliaments.

4. As to thoſe Particulars included in our Charge, which depend on things done without the Parliament, we are ready, and ſhould moſt willingly proceed to the particular charging and proving thereof, if firſt (from the juſtice of the Houſe in a preſent Proceeding againſt the Perſons charged for thoſe things that are already known to the Houſe, being done in it) we could find encouragement to expect any good iſſue upon thoſe other things, and did we not, on the contrary, find that notwithſtanding what is ſo known to the Houſe, as before expreſs'd, the ſame Perſons continue in ſuch Power and Prevalency, both in the Houſe, and in all the Committees of the higheſt Truſt, as leaves little hopes of Right or Satisfaction to the Army or Kingdom in other things, and much leſs in any juſt Proceedings againſt themſelves, while they continue Judges of their own and our Concernments, ſo as we cannot (while they remain in the ſame power) expect any thing but a continued perverting and making advantage of all things, and eſpecially of thoſe delays which a regular proceeding againſt them would neceſſarily endure, altogether to our own and the Kingdom's prejudice and danger, to diſable or weaken us for thoſe things, which the ſafety and ſettling the Rights, Liberties, and Peace of the Kingdom requires, and to ſtrengthen themſelves by underhand Practices and Preparations at home and abroad, the better to oppoſe us, and to engage the Kingdom in a new War, thereby to accompliſh their Deſires, or at leaſt to ſave themſelves from Juſtice in a common confuſion. We ſay, were it not for theſe and ſuch other Conſiderations, that leave little hopes of Juſtice to our ſelves or the Kingdom, while they continue in the ſame Power, and render all delays dangerous and deſtructive to our ſelves and the peace of the Kingdom, we ſhould be contented that the buſineſs concerning the Members we have charged ſhould be laid aſide, till thoſe other things were firſt ſettled which our Declaration does propound, for the common Rights and Liberties of the Kingdom.

But finding things ſtill ſo carried, and that while they were Judges in their own Cauſes, they (with that Party which they make) will do what they pleaſe, and yet render it a Breach of Priviledge to be accuſed for it as they are, as we have before expreſs'd, we cannot, upon all theſe Conſiderations, and for all the Reaſons before expreſs'd, but inſiſt upon it, that the Members charged may firſt be forthwith ſuſpended from ſitting in the Houſe, otherwiſe we cannot expect any fair proceeding againſt them upon a more particular Charge, nor think there is any good intended to our ſelves or the Kingdom.

As

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As to our deſires of having the Army preſently paid up equally with thoſe that have deſerted it, we appeal to all Men, for the Juſtice, Reaſonableneſs, and Neceſſity thereof: The Juſtice, in that the former Service (for which thoſe Arrears are due) hath been, at leaſt, as faithfully and diligently performed by the Army, as by thoſe late Deſerters of it: And in our preſent poſture (though they have appear'd indeed more officious or ſerviceable to the Perſons or Wills of particular Men, than we, yet) we are ſure the Army is, and, we hope, will at laſt appear to be more faithful to the true Intereſt of Parliaments and the Kingdom (which we were at firſt called out and engaged for) than they in deſerting the Army have hitherto appeared. For the reaſonableneſs of our Deſires, though we have grounds to claim more than they, or rather that they, or ſome of them, ſhould forfeit their Arrears, yet we ask for preſent but equal; nor ſhould we at preſent inſiſt on that ſo much (as to the Officers) if our Soldiers were but firſt paid up. Our neceſſity to inſiſt on that is obvious to every Man; and therefore, unleſs we ſhould betray our own and the Kingdom's Cauſe, we cannot but poſitively inſiſt upon it, that the Army ſhould forthwith be paid up, at leaſt, equally to thoſe Deſerters of it, which if denied or delayed, we ſhall be thereby enforced upon preſent ways of Remedy, and Right to the Army therein.

And whereas the Parliament hath lately ordered, and publickly declared, That all that ſhall deſert the Army, ſhall have preſent ſatisfaction in their Arrears (the Officers three Months Pay, the Soldiers all their Arrears, deducting for Free-Quarter) which ſtill continues unrecall'd, we cannot but look upon it as a moſt clear evidence of the continuing Malice and prevalence of ours and the Kingdom's Enemies; and we muſt and do inſiſt upon it, that that Order or Declaration may forthwith be publickly recalled, otherwiſe we cannot believe that any thing but ruine and deſtruction is deſigned to our ſelves, and all other in the Kingdom, who every where call upon us not to Disband, till we ſee the Rights, Liberties, and Peace of the Kingdom ſettled, according to the many Declarations by which we were firſt called forth and invited to engage in the late War.

Next we cannot but take notice, that inſtead of granting or anſwering our deſires in the laſt Paper, in order to the better and more ſafe proceeding to a Compoſure and Settlement of all things, for the good and peace of the Kingdom, and for prevention of any new War, the Army being firſt commanded to forty Miles diſtance from *London*, His Majeſty's Perſon is demanded immediately to *Richmond* Houſe, within eight Miles of *London*, which, as we cannot but impute it to the prevailing Intereſt of the ſame Enemies to our and the Kingdom's Peace, ſo all Men may eaſily diſcern with us, how directly it tends (in purſuance of their former private Deſigns upon the King, e're he came from *Holmby*) to put His Majeſty within reach of thoſe Mens Power, who have under-hand liſted about *London* already, a very conſiderable number both of Horſe and Foot, and are daily liſting and engaging more, both there, and in many Parts of the Kingdom, to ſerve their Deſigns; and therefore we appeal to all unengag'd Men, whether we can in this give way to have the King put ſo far within thoſe Mens Power, without giving them the long ſought for advantage of His Majeſty's Perſon, whereby to embroil this Kingdom in a new and bloody War, and ſtrengthen themſelves in their miſchievous Deſigns, the better to uphold and eſtabliſh their Faction and intended Domination: So that in this caſe we cannot but importune the Parliament (as they tender the Peace and Safety of the Kingdom, and the avoiding of Jealouſies or worſe Inconveniencies in the Army) that they would aſſume the conſideration of that buſineſs concerning the Perſon of the King, and not propoſe any place for him nearer to *London*, than they would have the Quarters of the Army to be.

And whereas (by the procurement of the ſame Perſons, or others of their Party) there have been ſcandalous Informations preſented to the Houſes, and induſtriouſly publiſhed in Print, importing, as if His Majeſty was kept a Priſoner amongſt us, and barbarouſly and uncivilly uſed, we cannot but declare, that the ſame, and all other Suggeſtions of that ſort, are moſt falſe and dangerous, and abſolutely contrary, not only to our declared deſires, but alſo to our Principles, which are moſt clearly for a general Right and juſt Freedom to all Men; and therefore upon this occaſion we cannot but declare particularly, that we deſire the ſame for the King and others of his Party,

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Party, ſo far as can conſiſt with common Right or Freedom, and with the ſecurity of the ſame for future. And we do clearly profeſs, we do not ſee how there can be any peace to this Kingdom, firm or laſting, without a due conſideration of Proviſion for the Rights, Quiet, and Immunity of His Majeſty, His Royal Family, and His late Partakers; and herein we think, that tender and equitable dealing (as ſuppoſing their Caſes had been ours) and a Spirit of common Love and Juſtice diffuſing it ſelf to the good and preſervation of all, will make up the moſt glorious Conqueſt over their Hearts (if God in Mercy ſee it good) to make them and the whole People of the Land laſting Friends.

To draw to a Concluſion, ſince we can yet obtain no Satisfaction or Anſwer to the things deſired, as before, but contrariwiſe find all things carried on by the prevailing Intereſt of thoſe our Enemies, to the prejudice and danger of our ſelves and the Kingdom, ſince (notwithſtanding ſome Votes of Parliament againſt the late Orders of the Committee of Safety for liſting of Forces, and notwithſtanding the earneſt Deſires and Endeavours of the City, concurrent with our own, to have the ſame prevented and remedied, yet) the ſaid Committee of Safety being continued ſtill in the ſame Power, we find that by the appointment or contrivance, and under the Protection or Countenance of the ſame Perſons whom we have Charged and their Accomplices, there are ſtill manifold Practices, under-hand, to liſt and raiſe new Forces, and, notwithſtanding the diſcovery thereof to the Parliament, from the City, yet the ſame Perſons have prevailed ſo far in the Houſe, as not to admit the Queſtion for diſcharging of them, but the ſame Practices ſtill continue, and with double diligence are enforced; ſince alſo divers Forces (pretended to have been engaged for *Ireland*) are by the ſame Perſons ordered to Rendezvous about *Worceſter*, there to lay the Foundation of a new Army; and to that purpoſe, their Emiſſaries and Correſpondents in all Counties are buſie and active to raiſe Forces for them: And though for theſe things the Actors of them have no preſent publick Authority, yet they have ſome way ſuch Countenance, and aſſurance to be juſtified in Parliament (if Queſtion'd for it) as that they have the Confidence to act openly: Since they have likewiſe their Emiſſaries or Agents in *Scotland*, *France*, and other Countries, very active to draw Foreign Forces for their aſſiſtance: Since in the mean time they are endeavouring by Spies, and ſecret Agents in all our Quarters, to inveigle and invite the Soldiers of this Army to deſert their Officers, and come to *London*, and for that purpoſe do improve the advantage of that Order or Declaration of Parliament aforementioned, for ſatisfaction of Arrears to ſuch as ſhall deſert the Army; and we find they have the publick Purſe ſo much at their diſpoſal, as to make good that and other of their Undertakings of that Nature; and yet ſuch as have ſo deſerted the Army, and received their Arrears, are not diſcharged or diſpers'd, but continued together in Bodies, and under Command in and near the City; as in particular, ſome of Sir *Robert Pye*'s Men, Colonel *Gervis*, Captain *Farmer*'s, and others, ſtill Quartered upon *Kent*: Since likewiſe they have their Agents and Correſpondents labouring with the King, to make Contracts with him, to engage and declare for them, or at leaſt to declare himſelf a Priſoner amongſt us, whereby to ſtir up and engage his Party againſt us: Since in all theſe reſpects we find all dilatory ways (which they induſtriouſly deviſe) to be deſigned and made uſe of only to our diſadvantage, weakening, and ruine, to the Kingdom's prejudice and to their own advantage, and ſtrengthening their Deſigns, the better to prepare for a new War.

And laſtly, conſidering the multitudes of Reformado's, and other Soldiers ſwarming about the City (whom the Perſons we have charged, and their Accomplices, have at their beck, to bring up to *Weſtminſter* when they pleaſe) and that by their frequent tumultuous Confluences thither (beſetting and ſometimes blocking up the Parliament-Doors, threatning and offering Violence to the Perſons of the moſt faithful Parliament-Men) the juſt freedom of Parliament ſeems to be taken away, or at leaſt for the preſent abridged; inſomuch as thoſe Members who have ſerved the Kingdom hitherto, with moſt Faithfulneſs, Diligence, and Integrity, for the Publick Good, many of them dare ſcarce come to the Houſe, or if they do, they come in fear and peril of their Lives; and when they are there, are awed, diſcouraged, or diſabled from diſcharging their Conſciences, or doing their Duties to the Kingdom.

Upon

22 *Caroli* I.

Upon all theſe Conſiderations, we are clearly convinced and ſatisfied, That both our Duty and Truſt for the Parliament and Kingdom, calls upon us and warrants us, and an imminent neceſſity for our own and the Kingdoms ſafety, and preſervation from a new War, enforceth us to make or admit no longer delays, but upon thoſe Foundations God hath given us, with vigour and ſpeed, to endeavour in ſome extraordinary way, the vindicating of Parliament Freedom from tumultuous Violence, the breaking of thoſe Deſigns and Preparations, that otherwiſe threaten a preſent embroilment of the Kingdom in more Blood and War, and a future perpetual enſlaving of it under Faction and Tyranny; and ſo, if God ſee it good, to put the Parliament into a freedom and capacity, with His Majeſty's wiſhed and hoped concurrence, to ſettle the Rights, Liberties, and Peace of the Kingdom.

Upon all theſe Grounds, and for all theſe Ends premiſed, we ſhall be enforced to take ſuch Courſes, extraordinary, as God ſhall enable, and direct us unto, to put things to a ſpeedy Iſſue, unleſs by Thurſday Night next we receive aſſurance and ſecurity to our ſelves and the Kingdom, for a more ſafe and hopeful proceeding in an ordinary way, by having thoſe things granted, which, in order thereunto, we have before inſiſted upon; and ſhall here, for more brevity and clearneſs, expreſs our ſelves as followeth.

1. That the Declaration, inviting Men to deſert the Army, and promiſing their Arrears in caſe they do ſo, be recalled and annulled.

2. That the Army may be preſently paid up, equally to thoſe that have deſerted it.

3. That His Majeſty's coming to *Richmond* may be ſuſpended until things be better ſettled and compoſed; and in the mean time no place may be appointed for His Majeſty's Reſidence, that may be any nearer to *London*, than the Parliament will allow the Quarters of the Army to be.

4. That the Members charged may be forthwith ſuſpended, or ſequeſtred the Houſe.

5. That thoſe that have deſerted the Army, may be inſtantly diſcharged and diſpers'd, and receive no more of their Arrears till the Army be firſt ſatisfied.

6. That both Parliament and City may be ſpeedily and effectually freed from thoſe multitudes of Reformado's and other Soldiers before-mentioned, that flock together about *London*, and a ſpeedy diſpatch and diſcharging of them from the City.

7. That all ſuch Liſtings or Raiſings of new Forces, or drawing together of any, as is before-mentioned, and all preparations towards a new War, may be effectually declared againſt and ſuppreſt; as alſo all Invitations or endeavours to draw in Foreign Forces.

8. That the preſent perplexed Affairs of the Kingdom, and theſe concerning the Army, as alſo all the things deſired in our late Repreſentation, in behalf of the Kingdom, may be put into ſome ſpeedy way of Settlement and Compoſure.

St. Alban's, June 23. 1647. *Signed by the appointment of His Excellency* Sir Thomas Fairfax, *and the Council of War.*

At a Council of War at St. *Alban's*, *June* 23. 1647. Preſent,

His Excellency Sir *Thomas Fairfax.*
Lieutenant-General *Cromwell.*
Lieutenant-General *Hammond.*
Commiſſary-General *Ireton.*
Colonel Sir *Hardreſs Waller.*
Colonels: *Fleetwood.* *Lambert.* *Rich.* *Lilburne.* *Okey.* *Hewſon.* *Scroope.* *Harriſon.* *Barkeſtead.* *Tomlinſon.*
Colonel *Horton.*
Colonel *Pride.*
Quarter-Maſter General *Groſvenor.*
Scout-Maſter-General *Watſon.*
Adjutant-General *Deane.*
Lieutenant-Colonel *Jubbs.*
Lieutenant-Colonel *Cobbet.*
Lieutenant-Colonel *Ewers.*
Lieutenant-Colonel *Salmon.*
Lieutenant-Colonel *Goffe.*
Major *Barton.*
Major *Rogers.*
Major *Saunders.*
Captain *Cunn.*
Captain *Husbands.*

The

An. 1647.

The Remonſtrance was agreed on by the Officers aforeſaid; and afterwards, by Direction from the General and Council of War, delivered to the Parliament by Colonel Sir *Hardreſs Waller*, Colonel *Rich*, and Major *Tomlinſon*.

Parliament's Deſires.

An Ordinance for giving a Day of Relaxation to Apprentices was read, and upon the Queſtion committed.

The King to ſtay his Journey to Richmond.

A Meſſage from the Lords, deſiring the Commons aſſent to a Letter to His Majeſty, that by reaſon of ſome late accident humbly to intreat His Majeſty either to ſtay at *Royſton*, where He appointed to lie this Night, and to Morrow at *Theobald's*, or return to *Newmarket*.

The Commons concurred therein, and a Letter was ſent accordingly.

A Copy of this Letter to His Majeſty was ordered to be ſent, incloſed in a Letter to His Excellency, and another Copy to the Commiſſioners in the Army.

The Conſideration of the Eleven Members were ordered to be reſumed to Morrow.

Parliament againſt ſuſpending the eleven Members.

The Houſe this Day, *June* 25. reſumed this Debate, and after much time ſpent, ordered, that by the Law of the Land no Judgment can be given to ſuſpend theſe Members, or any of them, from ſitting in the Houſe, upon the Papers preſented from the Army, before the Particulars be produced, and Proofs made.

Reſolved further upon the Queſtion, that it doth not appear, that any thing hath been ſaid or done, within the Commons Houſe, by any of the Members in queſtion, touching any Matters contained in the Papers ſent from the Army, for which the Houſe can in juſtice ſuſpend them.

The Exciſe-Houſe for Fleſh to be pulled down.

This Day order was given for the pulling down the lately erected *Exciſe-Houſe* in *Smithfield*, the Exciſe of Fleſh ending *Wedneſday* laſt, for which many in *London* made Bonfires, the Officers and Workmen coming to take down the Houſe, a great number of the common People, in a ſhort time, came about them, and fell to ſharing the Materials, ſome carried away pieces of Timber, others the Glaſs-Windows, and others the Bricks, and what elſe they met withal.

Barkhamſtead the Head-Quarter.

From the Army there came Intelligence, that Yeſterday the General removed his Head-Quarters from St. *Alban's* to *Barkhamſtead*, twenty ſeven Miles from *London*, where they expect the reſult of the Parliament concerning their deſires; and accordingly either remove further or approach nearer to *London*. His Majeſty came that Night to *Royſton*; the Houſe have ſent to His Majeſty to ſtay at *Royſton*, or go back to *Newmarket*, but His Majeſty, 'tis ſaid, is not willing to go back.

The King ſtays at Royſton.

A Letter was read in the Houſe from His Majeſty, that according to the Order of both Houſes, he would ſtay at *Royſton* that Night, and give them a further account of his removal when it ſhall be.

An Order was made by the Houſe, giving power to the Commiſſioners of Parliament in the Army, to confer with the Commiſſioners from the City in the Army.

Four full Companies to guard the Parliament.

The *Militia* of *London* were deſired to ſend *Four full Companies* for the Guard of the Houſes to Morrow.

The Army advances towards London again, but declares not to the terror of Parliament or City.

This Day, being *June* 26. Letters were read from his Excellency Sir *Thomas Fairfax*, and others, from the Parliament's Commiſſioners in the Army, giving an Account of the Armies near advance towards *London*, with the Grounds thereof, and that they intend not there-

thereby any wiſe to awe the Parliament, or be a terror to them or the City; and renewed their deſires, That the Members charged by them may be ſuſpended the Houſe; and that then they will give in a more particular Charge, with the Proofs and Atteſtations to make good the ſame.

A Letter from the General to the City, not to advance nearer than Uxbridge

There came likewiſe a Letter from the General, and Officers of the Army, to the Lord-Mayor, Aldermen, and Common-Council of *London*, to ſatisfie them of their nearer advance toward *London*, and to aſſure them, that as they deſire in all things a right underſtanding betwixt the Parliament, City, and Army, they will inviolably keep and obſerve their Faith and Promiſe to the City; and that they intend not in this their approaches any prejudice to the City, but will be ever tender of their Peace and Welfare as their own, their only aims being to obtain a firm Peace, and not a new War.

The Head-Quarter of the Army, this preſent *Saturday*, is at *Uxbridge*, where alſo the General is: It was agreed by a Council of War, the laſt Night, the Army ſhould not advance nearer *London* than *Uxbridge*.

The King at Hatfield.

His Majeſty is at the Earl of *Salisbury*'s Houſe at *Hatfield*, whither he came this Day from *Royſton*.

The 11 *Members withdraw.*

The Houſe had much Debate this Day upon a Motion from the *Eleven Members* charged by the Army, that they might have liberty to abſent themſelves from the Houſe; and it was at laſt condeſcended unto, and the Members accordingly all of them left the Houſe this Day.

To haſten the Treaty with the Army.

A Letter was agreed upon by both Houſes to be ſent to their Commiſſioners in the Army, deſiring them to improve their additional Power with Fidelity and Expedition in treating with the Army.

Liſt of Officers.

An additional Liſt of Officers were preſented to the Houſe, and ordered thereupon they ſhould have the benefit of the 25000*l.* with the reſt.

A Day of Recreation.

The Ordinance with the Amendments, for the Day of Relaxation to Scholars and Apprentices, this Day paſſed the Houſe.

We had further, by Letters this Day from *Uxbridge*, to this purpoſe.

Intelligence.

'The General removed from *Barkhamſtead* to this Place yeſterday. 'The Head Quarters is like to be here till *Munday* or *Tueſday*. 'His Majeſty removed from *Royſton* to *Hatfield* this Day. To Mor- 'row we ſhall hear what entertainment his two Chaplains, Dr. *Ham- 'mond*, and Dr. *Shelden*, either afford to him, or receive from him, 'who went Yeſterday to *Royſton* to His Majeſty. 'A Council of War 'ſate at *Uxbridge* all the laſt Night, and underſtanding that through 'a Miſtake ſome Regiments had enlarged their Quarters nearer 'London than was intended, *viz.* as far as *Harrow on the Hill*, *Hayes*, 'Brentford, *Harlington*, *Feltham*, and *Hanworth*, there were Orders 'immediately ſent to ſtop the Regiments, and to bring them to 'Quarter in Line about fifteen or ſixteen Miles diſtant from *London*, 'and the General and Officers have reſolved, that there ſhall be no 'further advance of the Army, or any Quarters of it nearer *London*, 'before notice thereof given to the Parliament and City.

By a miſtake Soldiers Quarter nearer London *than the diſtance of* Uxbridge.

Uxbridge, June 26. 1647.

June 28. 1647. This Day Letters were read in both Houſes from the Commiſſioners with the King, giving to underſtand, that the Duke of *Richmond* was come to His Majeſty to *Hatfield*, Dr. *Shelden*, Dr. *Hammond*, and ſome others, *&c.*

22 *Caroli* I.

Duke of Richmond, *Dr.* Sheldon *to be removed from the King; and the King to go to* Holmby.

The Houſes debated this buſineſs, and ordered, that His Majeſty ſhould be deſired from both Houſes to remove from *Hatfield* back to *Holmby*.

That the Commiſſioners attending His Majeſty do remove the Duke of *Richmond*, Dr. *Sheldon*, Dr. *Hammond*, and all other Perſons that ought not to come near the King, according to their Inſtructions.

To keep Malignants from the King.

That a Letter be writ to the General, to give order, that the Guards attending His Majeſty be obſervant to the Commands of the Commiſſioners, in relation to their Inſtructions, and in keeping Malignants from His Majeſty.

The Houſe of Commons received Letters from the Army, of what they deſire further, in relation to the ſafety of the Kingdom, which deſires were as followeth.

The deſires of the Army to the Parliament, in reference to the 11 Members and Priviledge of Parliament.

WHereas we underſtand the Houſe hath voted, that it doth not appear, that any thing hath been ſaid or done by the Eleven Members within the Houſe, touching any Matter contained in the Papers from the Army, for which the Houſe can in Juſtice ſuſpend them, though if way were given and opened, without breach of Priviledge, for us to charge them with, and for others to be examined freely, to teſtifie unto ſuch things, we ſhould not doubt to make ſuch Proceedings and Practices of theirs in the Houſe to appear; for which, according to former Precedents, they juſtly might and ought to be ſuſpended, yet we are ſo tender of Priviledges of Parliament, as that we ſhall at preſent forbear to reply, or preſs further upon that point for the Houſes Proceedings therein, upon their own Cognizance.

2. *Whereas the Houſe of Commons hath voted, That by the Laws of the Land, no Judgment can be given to ſuſpend thoſe Members from ſitting in the Houſe, upon the Papers preſented by the Army, before Particulars produced and Proofs made, though we think good Reaſons may be given, and Precedents found to the contrary, even in the Proceedings of this Parliament; as in the Caſe of the Earl of* Strafford, *the Archbiſhop of* Canterbury, *the Lord-Keeper* Finch, *and others. Yet we do declare, that we have both Particulars and Proofs againſt them ready to produce, but conſidering that the Proceedings thereupon will probably take up much time; and the preſent unſettled Affairs of the Kingdom, in relation to thoſe great matters propoſed by us, do require a ſpeedy Conſideration, we ſhall be willing that theſe greater and more general Matters of the Kingdom be firſt conſidered of and ſettled, before the Cenſure of thoſe Members be determined; and therefore becauſe they may apprehend it ſome prejudice to them to have their particular Charges given in, and lie upon them ſo long undetermined, we ſhall be willing to forbear the giving in of the Particulars againſt them, till they may, without interruption to the general Affairs, be immediately proceeded upon: But if the Houſe do think fit the Particulars againſt them be firſt delivered in, we ſhall be ready to do it.*

3. *Whereas we underſtand, that the Members charged have deſired leave from the Houſes to withdraw themſelves, we cannot but take notice of the Modeſty thereof ſo far, as that we are contented therewith, for the preſent more quiet proceeding to ſettle the perplexed Affairs of the Kingdom (which, without any private Animoſities againſt Perſons is our greateſt End in what we do, only we declare, that) as we ſuppoſe the Gentlemen themſelves, from the ſame Grounds that induced them to offer this, will ſtill forbear to offer the contrary, till the Matters concerning them be heard and determined, or to make any new interruption or diſturbance to the proceeding upon, or ſettlement of the general Affairs of the Kingdom; ſo we hope, and ſhall confidently expect, that the Wiſdom and Juſtice of the Houſe will not admit any things to the contrary, or leave it to an hazard thereof, but will uſe ſufficient Care and Caution againſt ſuch things, and for the bringing thoſe Members to Trial, when the Houſe ſhall judge it ſeaſonable and ſafe, as before expreſs'd.*

Uxbridge, June 27. 1647.

By the appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

Signed, *John Ruſhworth.*

The Houſe debated theſe Deſires, and, in anſwer to part of them, paſſed theſe Votes, That they do declare, That no Officer or Soldier of the Army, from and after the publication of this Order in the Army, ſhall leave the Army without the particular licenſe and diſcharge of the General.

22 *Caroli* I.

Votes of Parliament in favour of the Army.

That they do declare, That they do own this Army as their Army, and will make proviſion for their maintenance; and will take order, that ſo ſoon as Money can be conveniently raiſed, they ſhall be paid up equally with thoſe that have left the Army.

Reſolved, *&c.*

That it be referred to the Committee of the Army, to take into Conſideration, how proviſion may be made for the Army, in purſuance of the Votes this Day paſſed.

Reſolved, *&c.*

That it be referred to the Commiſſioners with the Army, to be very earneſt with the General, That no diſcouragement or obſtruction may be given by the Soldiery, to the due levying and bringing in the Exciſe, and other Aſſeſſments and Payments to the Parliament.

An Ordinance was read in the Houſe for ſaving harmleſs all well-affected Perſons from Bonds or Bills, or other Engagements extorted from them by the Enemy in the time of this War.

The Houſe conſidered of appointing Circuits of Aſſize in *England* and *Wales* for this Summer, and referred it to the Commiſſioners of the Great Seal, to bring in a Liſt of the Judges for this next Circuit.

June 29. A Meſſage came from the Lords, with an Ordinance and ſome Amendments, it came firſt from the Houſe of Commons, and was for appointing Colonel *Butler* Commander in Chief of the Iſle of *Scilly*. The Commons agreed to the Amendments, and then the Ordinance paſt.

Iſle of Scilly.

A Petition was preſented to the Houſe of Commons, in the name of the Eleven Members Impeached, all but Recorder *Glyn*, deſiring to come to a ſpeedy Trial.

Eleven Members.

The Houſe ordered, that by *Friday* next at furtheſt, the particular Charge of the Army againſt the Eleven Members, ſhall be brought into the Houſe.

The Accounts of Colonel *Grave*, and Colonel *Pye* (upon their Petition) was ordered to be referred to the Committee of Accounts.

Colonel Graves, Colonel Sir Ro. Pye.

The Houſes ordered, that all Officers and Soldiers that are come off from the Army, and engaged for *Ireland*, ſhall forthwith advance for the Service of *Ireland*, or elſe be immediately Disbanded.

That thoſe that come off from the Army, advance for Ireland.

An Ordinance was this Day read, prohibiting all tumultuous Aſſemblies of any Officers or Soldiers about the two Houſes at *Weſtminſter*, or in the City of *London*, and commanding ſuch of them as are not Inhabitants and Houſe-keepers in the Cities of *London* and *Weſtminſter*, or Lines of Communication, to depart and withdraw themſelves out of the ſaid Lines, within Ten Days after notice and publication of this Ordinance. And ſuch as ſhall be found after the Ten Days Publication, contrary to this Ordinance, ſhall loſe their Arrears. This Ordinance was read the firſt time, and committed to a Committee.

Againſt tumultuous meetings of Officers and Soldiers.

The Commons received further this Day, a Meſſage from the Lords, to acquaint them with divers Complaints from Foreign Ambaſſadors and Strangers, who ſuffer much for want of a Court of Admiralty, which the Lords think fit ſhould be ſpeedily ſettled,

Court of Admiralty.

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Dutch *Ambaſſadors for a Paſs.*

and which the Commons ordered to take into Conſideration. *Alſo* to acquaint them with the *Dutch* Ambaſſadors Letter, and the Lords Votes, that they think fit to grant him a Paſs (as deſired) to go to His Majeſty, and another to return to his own Country, with his Retinue, Six Horſes, and other Neceſſaries, and ſecurity for his Family, which he leaves here. To which the Commons concurred.

Faſt-Day.

This Day, *June* 30. being the Faſt, Dr. *Smith* and Dr. *Rainbow* preach before the Lords, and Mr. *Ward* and Mr. *Mainton* before the Commons, who had Thanks, and ordered to print their Sermons, ſave only Mr. *Ward*, who gave Offence. Mr. *Whitchcot*, and Mr. *Jagger* are deſired to preach before the Commons next Faſt-Day.

A Committee was appointed to conſider how the Church of *Torrington* may be re-edified.

Accommodation in Religion.

A Committee was appointed to propoſe godly and able Perſons to conſider of the Matters of Accommodation in Religion, and to preſent their Names to the Houſe.

Obſervation of the Lord's-Day.

It was this Day referred to the Lord-Mayor, Sheriffs, Juſtices of the Peace, and Conſtables, within the Lines of Communication, to be very careful in putting the Ordinance for the better *obſervation of the Lord's-Day*, and *Faſt-Days* into execution. The Defects of theſe two Ordinances were ordered to be referred to a Committee.

Malignant Miniſters.

Ordered, that it be referred to a Committee to make enquiry what malignant Miniſters have been admitted by the Committee of Plundered Miniſters into Livings, contrary to the Order of the Houſe, and to report the Names of ſuch to the Houſe, and a Committee was appointed for that purpoſe.

The Army draws back.

Letters came this Day to the Houſe from the Commiſſioners with the Army, and a Letter from the General and Council of War of the Armies drawing further back from the City of *London*, removing their Head-Quarters from *Uxbridge* to *Wickham*.

The General's Letter was as followeth.

The General's Letter.

My Lords and Gentlemen,

BY the Votes you pleaſed to communicate to me this Morning, I find the Parliament hath taken into their Conſiderations thoſe Propoſitions of the Army which neceſſarily craved ſome ſatisfaction before the withdrawing of it. And that their Progreſs already made (though but in part) meets with ſuch a Compliance in my Council of War, that it begets in them a general Confidence of the Houſes ſpeedy and full Anſwer to the remaining Propoſition. And therefore to teſtifie the readineſs of this Army to obſerve the Commands of Parliament,

The Head-Quarters at Wickham.

They have reſolved to remove the Army to a farther diſtance, and the Head-Quarters to be this Night at Wickham, *believing that this forwardneſs on their part, to ſatisfie both the Parliament and City, will not retard but haſten the Reſolutions of the Houſes, with a full ſatisfaction to the Particulars nat yet anſwered; and alſo acquit this Army of many Jealouſies and unjuſt Aſperſions caſt upon it.*

To the Right Honourable Lords and Commons, Commiſſioners for the Parliament in the Army, to be communicated to both Houſes of Parliament.

The Army deſire to ſpeed the Treaty with the Parliament's Commiſſioner's.

This Day likewiſe the General and Council of War at *Wickham* ſent a Paper to the Commiſſioners in anſwer, to one from them the Day before, ſignifying, that they were very ſenſible of the many Inconveniences, which delay (in the ſpeedy ſettlement of the Affairs of the Kingdom) may produce, and therefore were ready, accor-

ding

ding to the Parliament's deſire to appoint Officers to treat with them, that delay might not reſt on their Parts; and withal further intimated, that the Army is not ſatisfied, and do conceive themſelves and the Kingdom unſafe, until the laſt Propoſitions delivered in unto the Houſe be fully anſwered. And therefore deſire to know their pleaſures concerning them, before they proceed to a Concluſion in any thing upon the Treaty.

A Months Pay.

July 1. 1647. Referred to the Committee of the Army, to conſider how a Month's Pay may be ſpeedily advanced to the Army.

Ordered, that it be referred to the Committee of the Army, to conſider how the Arrears due upon the Ordinance of Sir *Thomas Fairfax*'s Army may be ſpeedily collected for them.

King's Reſidence.

Ordered, that His Majeſty's Perſon ſhall reſide no nearer the City of *London*, than the Quarters of the Army may be born.

Accommodation in Religion.

It was ordered, that the Committee formerly appointed to conſider of an Accommodation in Matters of Religion ſhould meet, and to report their Opinion with all convenient ſpeed.

Some endeavour to bring in the Scots *Army.*

An Information was given of Alderman *Couſins* of *Newcaſtle* upon *Tine*, and others, their being now in *Scotland*, in nature of Agents for Presbytery, endeavouring to bring the *Scots* into this Nation. This was referred to Examination of the Committee of the *North*.

Ordered, that the Lords be deſired to expedite the Propoſition to be ſent to the King.

To put Officers and Soldiers out of the Line.

The Ordinance for putting Officers and Soldiers out of the Line, was read the ſecond time and recommitted.

July 2. 1647. This Day a Petition was preſented to both Houſes, from the Lord-Mayor, Aldermen, and Common-Council of the City of *London*, which take as follows at large, *viz.*

To the Right Honourable the Lords and Commons aſſembled in High Court of Parliament.

The humble Petition of the Lord-Mayor, Aldermen, and Commons of the City of London, *in Common-Council aſſembled.*

Humbly Sheweth,

THat the Petitioners cannot but call to mind the deliverance which they and the whole Kingdom did juſtly expect from this Parliament, after ſo many Years ſuffering under the Power of an Arbitrary Government, both in their Spiritual and Temporal Concernments; and they do humbly acknowledge, that this Parliament hath removed many Obſtacles, and are confident would, by this time, with God's Bleſſing, have reſtored the Kingdom to its juſt Liberties, and ſettled a ſure foundation for its future happineſs, if they had not been diverted by the great Contrivers of the Kingdom's Slavery, who, rather than ſubmit to the Juſtice of this High-Court, have raiſed and maintained a bloody, unnatural, and long War againſt the Parliament of *England*. In the ſuppreſſion whereof, as much Blood hath been ſpilt, ſo a great Treaſure hath been ſpent, and the Kingdom is ſtill left involved in many Engagements and Debts, both to their Brethren of *Scotland*, (who like true Chriſtian Brethren, came in to its Aid againſt the common Enemy) and alſo to a multitude of Officers, Soldiers, and others the well-affected People of this Land, who did engage in the defence and ſupport thereof. And although the Petitioners, in the Obligation which the Cauſe of God, and the publick Safety did caſt upon them, have all this time both freely contributed and chearfully ſubmitted to many great and unuſual Aſſeſſments, which alſo could not be levied but in an extraordinary way; yet they cannot

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not be unſenſible how much arbitrary Power hath been, during theſe Diſtempers, exerciſed by Committees and others, by whom the good Subject hath been oftentimes more oppreſſed, than the Delinquent ſuppreſſed, and who have managed the Receipts and Revenues which were deſigned to maintain the publick Charge, ſo diſorderly and ineffectually, that the Kingdom cannot but be unſatisfied concerning the due employment thereof, and doubt that much of the publick Money hath been employed to private Ends, and remain obſcured in the hands of ſuch as were intruſted with the Collection of thoſe Aſſeſſments, and the improvement of all Sequeſtration to the publick and beſt advantage. And indeed, the Petitioners have reaſon to attribute much of the late Diſcontent and Diſorders of divers Officers and Soldiers, unto the want of ſuch Monies, as if duly collected and faithfully managed might have in good part, if not fully ſatisfied the Soldiery; and do humbly conceive, that the Parliament hath ſo much the more reaſon to enquire into the ſame, becauſe that from this defect, hath riſen thoſe late Attempts of ſome of the Soldiery; and there is ſuch uſe made of the Vote paſſed by the Parliament, for their ſatisfaction, to invite and draw together very great numbers of Officers and Soldiers from all Parts of the Kingdom, under pretence of ſharing the Money ſo obtained, that it may very much endanger the Peace and Safety of the City.

The Petitioners therefore, for remedy of the ſaid Grievances, and prevention of thoſe Dangers which otherwiſe may be feared, and for ſettlement of this miſerable and diſtracted Kingdom, do humbly pray,

1. That preſent Command be given, that no Officer of War, or Soldier, other than ſuch as are already come in, do enter the Line of Communication, under any pretence to ſhare in the Moneys lately appointed by Parliament, towards the ſatisfaction of any Arrears.

2. That ſuch Officers and Soldiers who are already paid according to the late ſeveral Ordinances of Parliament in this behalf made, if their uſual Habitation and Employment have been within the Line, be enjoyned forthwith to betake themſelves to their Calling, or ſome honeſt Condition of Living, and be prohibited from their looſer and tumultuous wandering and meeting within this City, and other Places adjacent, under Penalty of loſing their Arrears. And that ſuch Officers and Soldiers as have Dwellings or other Relations in the Country, be required to depart the Line within two Days after Publication, and to return to their Homes or Habitations, and there to apply themſelves to their ſeveral Callings, upon the like forfeiture of their Arrears, except ſuch whoſe preſent and lawful Occaſions may require their continuance, to be approved of by a Committee for that purpoſe to be appointed. And that the Parliament would pleaſe to make ſome ſpeedy and certain Proviſion for the ſatisfying of all Arrears unto the Soldiery, who have ſerved the Parliament, within ſome ſhort and convenient time to be paid in the ſeveral Counties and Places of their Abode, according to the Conditions of their Entertainments.

3. That all Officers and Soldiers who have been in Arms againſt the Parliament, or others, who have aſſiſted or contributed thereunto, be enjoined upon pain of Impriſonment, within twenty four Hours after publication, to repair to their ſeveral Habirations, and fall to their lawful Callings; and that ſuch Officers, Soldiers, and others, as have no Habitations nearer, be commanded forthwith to withdraw themſelves, and to continue, at leaſt, twenty Miles from *London*, for the ſpace of forty Days, except ſuch as by a Committee authoriſed and appointed to that purpoſe, ſhall have Licenſe, upon juſt Cauſe by them allowed, to remain in or near *London*, ſo long time until they have diſpatched ſuch buſineſſes as they ſhall have in or near the City; which ended, then preſently to retire twenty Miles from the City, upon pain of Impriſonment, as aforeſaid.

4. That ſuch Commanders and Soldiers as according to former orders of the Parliament have come in from the Army, having received their Monies, may be otherwiſe diſpoſed of as the Parliament ſhall think fit.

5. That

5. That all Perſons whatſoever, that are poſſeſſed of any Monies or Goods belonging to the Publick, may be injoined to bring the ſame within one Month after Publication, into ſuch publick Treaſury as is or ſhall be appointed for that purpoſe, under Penalty to forfeit treble the Value, which ſhall be duly proved to be ſo concealed, the half of the Forfeiture to be given to ſuch Perſons as ſhall make proof of ſuch Concealment, and the other half to be applied to the Service of the State.

6. That all Revenues (as well ſuch as are due by Sequeſtration or otherwiſe) be managed under ſuch Commiſſions, and by ſuch Perſons, as notwithſtanding any Priviledge of Parliament, or otherwiſe, may be held to ſuch Rules as are or ſhall be preſcribed therein, by Ordinance of Parliament, and be liable (for breach thereof) to anſwer the ſame in due courſe of Law, and that no arbitrary Power may be exerciſed to the contrary, by any Perſon whatſoever.

7. That the Parliament would for the preſent pleaſe to lay aſide all buſineſſes of leſſer Conſequence, of private Concernment, and improve their Time and utmoſt endeavour, that ſuch Laws may be prepared for His Majeſty's Royal Concurrence, as may ſettle the Government of the Church, ſecure the People from all unlawful and arbitrary Power whatſoever in future, and reſtore His Majeſty to his juſt Rights and Authority, according to the Covenant; without all which the Petitioners can never expect any laſting eſtabliſhment; that ſo this long divided and diſtracted Kingdom may attain to the Bleſſings of Peace and Unity in Church and Common-wealth.

8. And that the People may be the better ſecured to enjoy the intended Effects of ſuch Laws, as ſhall be ſo made with the Royal aſſent, that eſpecial care be taken that all Officers of State, and other Miniſters of Juſtice, may be Perſons of Honour, of conſiderable Intereſt, and of known Integrity to the Parliament and Kingdom.

9. That the Parliament would pleaſe to provide for the carrying on of the Affairs in *Ireland*, by a ſpeedy tranſporting the Forces which lie ready on the Sea-ſide, and ſuch others as ſhall be willing to engage in that Service, and by ſuch continual Supplies as are requiſite to reduce that Kingdom to the Obedience of the Crown of *England*, and reſcue the good Party left there, out of the bloody hands of thoſe barbarous Rebels. And for the better encouragement of the Subjects of this Kingdom to continue their Supplies for that Service, that with as much ſpeed as conveniently may be, the Parliament will pleaſe to take care that the People be eaſed of ſuch extraordinary Charges and Burthens as have long lain, and ſtill remain upon this Kingdom.

10. That by juſt and good means the Correſpondence with our Brethren of *Scotland*, may, according to the National Covenant, be maintained and preſerved.

11. That this Honourable Houſe would pleaſe to give Order for a ſpeedy examination of all unlawful Elections and Returns of the Members thereof, and purge the Houſe of all ſuch as have been unduly choſen, or have been in Arms or in Action againſt the Parliament, and provide for the ſupply of their rooms, according to the Laws of the Land.

12. That ſome ſpeedy courſe may be taken for the deciding of all Cauſes formerly determinable in the Court of Admiralty, the Trade and Navigation of this Kingdom, and the Correſpondence with Foreign Nations being very much prejudiced, diſturbed, and endangered for want of due proviſion herein, as hath formerly been at large repreſented unto the Honourable Houſe.

13. And laſtly, That ſatisfaction being made by Delinquents, according to the Wiſdom of Parliament, an Act of Oblivion may be paſſed for an utter abolition and final Reconcilement of all Parties and Differences; and for

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for the quiet ſettling of Peace, Love, and Unity among the Subjects of this Kingdom.

All which the Petitioners ſubmit unto the Wiſdom of this Honourable Houſe.

Anſwer to the City Petition.

This Petition was read in both Houſes, and the Preſenters had Thanks for their conſtant and good Affections to the Parliament, with this further Anſwer, that the particulars of the Petition were many and long, and a great part thereof under Conſideration already, and the reſt they would ſpeedily conſider on.

A Petition of Cheſter to pay off the Garriſon.

A Petition of the Inhabitants of *Cheſter* was read, and ordered, that it be referred to the Committee of *Cheſter* to advance ſo much Money upon the Credit of the Ordinance for 60000 *l. per Menſem*, as will pay the Arrears of the Soldiery of the Garriſon of *Cheſter*, ſince the 25*th.* of *March* laſt, to be paid to the Soldiery of the Garriſon, that they may conſider of leſſening that Garriſon; and the Petitions then tendered from the ſaid County be referred to this Committee.

Several Orders were then alſo made in reference to the Affairs of *Ireland*, *viz.* That 2600 *l.* be paid out of *Weavers-Hall*, to the Lord of *Ormond*, being part of the Moneys formerly ordered him out of *Goldſmiths-Hall*.

That 7000 *l.* be paid out of *Weavers-Hall*, for the tranſporting of the Regiment of Horſe, of Colonel *Ponſonby*'s into *Ireland*, and for Proviſion and Arms for them before their Tranſportation.

Soldiers come off from the Army, to be reduced into Regiments for Ireland.

That the Forces that are come off from the Army be muſtered, and ſpeedily advance for *Ireland*, and that they be reduced into Regiments, according to the numbers the Regiments for *Ireland* are to conſiſt of, and herein they are to have reſpect to the Colonels that have the moſt Forces in their Regiments.

Receive a Months Pay in part.

That thoſe Forces drawn off from the Army, and engaged for *Ireland*, ſhall have a Month's Pay, as part of the Arrears due to the Forces of the Army, that are drawn off, out of the 10000 *l.* formerly appointed for ſuch as did draw off from the Army.

That after the receipt of this Months Pay, the ſeveral Forces for *Ireland*, are to march to the Sea-ſide, where they ſhall receive Conditions promiſed by former Vote: And the Committee of *Ireland* is to ſee this performed accordingly.

Commiſſioners for Munſter.

That three Commiſſioners be ſent into *Munſter*, and referred to the Committee of *Iriſh* Affairs to conſider of fit Perſons.

A Petition from Eſſex.

One of the Knights of the Shire of the County of *Eſſex*, preſented a Petition this Day to the Houſe, of the Gentry and others of the Diviſion of *Lexon* in *Eſſex*, and Parts adjacent, the Gentlemen who brought the Petition were called in, and were acquainted that the Houſe did take notice of delivering it, which was very Parliamentary; that the Petition was very Modeſt, and full of good Intentions and Expreſſions to the Publick; for which, and all the conſtant good Affections, they had the hearty Thanks of the Houſe given them.

The Petition from *Norfolk* and *Suffolk* was likewiſe preſented to the Houſe, and ordered, that when the Generals therein ſhall be reduced to Particulars, and tendered to the Houſe, they will conſider of them, and do Juſtice upon whomſoever they concern. The Petition follows at large, *viz.*

The

22 *Caroli* I.

The Humble Petition of the peaceable and well affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich, *earneſtly endeavouring after the Proſperity of this our High Court of Parliament, and the ſpeedy eſtabliſhment of the Peace, Liberties, and Freedoms of the Kingdoms; preſented to the Honourable Houſe of Commons, upon* Friday July 2. *by above a hundred Gentlemen and Free-Commoners, in the name of many thouſand that did ſubſcribe it. With the Reſolutions of the Houſe of Commons thereunto annexed.*

To the Honourable Houſe of Commons aſſembled in Parliament.

The Humble Petition of the peaceable and well-affected Inhabitants of the Counties of Norfolk *and* Suffolk, *together with the City and County of* Norwich.

Sheweth,

THat your Petitioners cannot but with all Thankfulneſs acknowledge the great Goodneſs of God in caſting our Lot in a free Nation, wherein ſo high and honourable a Court as a Parliament, is appointed to interpoſe between the People and all Tyranny and Oppreſſion, and the ſpecial manifeſtation of this Goodneſs, in calling together this Parliament in a time of ſuch imminent danger of the loſs of all the Subjects Liberties; and likewiſe we cannot but be ſenſible of the ſpecial concurrence of the Divine Power with your Counſels, Endeavours, and Agents, whereby many Grievances were redreſſed, Burthens removed, and the decays of our Nation began to be repaired, and the Hearts of all the well-affected filled, with large hopes of beholding again the Glory of the Free-born *Engliſh* Nation. But with grief of Heart we are conſtrained to declare to this Honourable Court, that our living Hopes begin to fade, and are almoſt exchanged into dying Fears, while we ſadly behold the ſame Corruptions in the Courts of Judicature ſtill remaining, that the Subjects have for many Years groaned under; the diſplacing of many Men of known Fidelity, in their engagement for the preſervation of the Subjects Liberties, out of the Militia of the great City of our Kingdom, and the undermining the fundamental Liberties of our Nation, by diſcouraging of the Free-Commons of *England* from preſenting, in the moſt humble way, their Grievances; all which we humbly conceive to proceed from ſome Members ſitting in this Honourable Houſe, againſt whom the Free-Commons of *England* have not had liberty to bring in their Accuſations and Charges. Wherefore while we are groaning under afflicting Fears, that the ſad apprehenſions of thoſe growing Miſeries ſhould ſo fomen Jealouſies in the Peoples Hearts, that the old deſign againſt the Kingdom's Liberties is now acted and managed in a new Form, that thereby the diſtraction of the Kingdom ſhould be augmented, and the Subjects prevented of their enjoyment of a ſafe, well grounded, and long-expected Peace. We cannot but humbly implore this Honourable Houſe,

That the Corruption in the Courts of Judicature might be ſpeedily conſidered by this Honourable Houſe. That the Places of Truſt in our yet diſtracted Kingdom might be committed to thoſe who have faithfully intereſted themſelves in the common Cauſe of preſerving the Subjects Liberties. And that the removal of every ſuch Perſon or Perſons out of any Places of Truſt whatſoever might be ſpeedily debated and determined. That a Declaration be forthwith publiſhed to the Kingdom, to declare the Liberty and Duty of all and every the Free-Commoners, to preſent to you all manner of Grievances whatſoever, with ſuch offers of Remedy as the Wiſdom of God ſhall direct them to propound, as alſo the Liberty of every Free-Commoner to repair freely to this Honourable Houſe, with all Accuſations and Charges againſt any Member whatſoever ſitting in Parliament. And that every Member remaining under any Charge (either of Incapacity of admiſſion into the Houſe,

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or unfaithfulneſs in his Truſt) might immediately be ſuſpended from acting in the Affairs of the Kingdom (whereſoever Proofs of any ſuch Charge be offered) till he be either judged or acquitted; that hereby every Subjects Heart and Mouth might be void of all exceptions againſt this Honourable Houſe, that ſo all Miſunderſtandings between you and your Army might be prevented, and the hopes of all thoſe utterly fruſtrated, that under any pretence whatſoever (to maintain their own Intereſts) would foment Diviſions between you and them, to the embroiling the Kingdom again in Blood; that then a happy Peace might be built upon the Foundations of Judgment, Juſtice, and Righteouſneſs, and the Glory, Freedom, and Happineſs of our Nation, may countervail all the Blood and Treaſure that hath been expended in their juſt proſecution.

And your Petitioners ſhall ever pray, &c.

Die Veneris, 2. *July* 1647.

A Member of the Houſe did tender a Petition to the conſideration of the Houſe, entituled, *The humble Petition of the peaceable and well-affected Inhabitants of the Counties of* Norfolk *and* Suffolk, *together with the City and County of* Norwich; the which was read.

Reſolved, *&c.*

That an Anſwer be returned to this Petition.

Reſolved upon the Queſtion, by the Commons aſſembled in Parliament, that this ſhall be the Anſwer.

'That when the Generals ſhall be reduced to Particulars, and tendered to the Houſe, they will take them into due Conſideration, and do Juſtice upon them whomſoever they concern.

Mr. *Gourdon* and Mr. *Heveringham* are appointed to deliver the Petitioners this Anſwer.

A Pamphlet diſclaimed as followeth.

Letters came this Day from the General's Head-Quarters at *Wickham*, whereof one was a Paper, or Declaration of the General and Council of War, diſclaiming a ſcandalous Pamphlet, intituled, *Heads preſented by the Army to the King's Majeſty, the* 19*th. of* June *laſt*; and another ſcandalous Paper. Their Anſwer thereunto is as followeth, *viz.*

This Day was read a Paper delivered to the Commiſſioners for the City of *London*, *July* 1. from the General and Officers of the Army, diſclaiming a Pamphlet, intituled, *Heads preſented by the Army to the King's Majeſty, on* Saturday, June 19. 1647.

WHereas we find a Pamphlet lately printed and publiſhed, bearing the Title of *Heads preſented by the Army to the King's Majeſty, on* Saturday June 19. 1647. though we think it will, of it ſelf, appear a confuſed, heedleſs Piece; ſo ſurreptitiouſly crept forth, and in ſuch a pure Pamphlet-Dreſs, as we hope it will gain little belief to our prejudice; yet to avoid any Jealouſies or doubtful Thoughts, which it might poſſibly breed in any honeſt Mind, we cannot but take notice of it; and for vindication of the Army, we do hereby declare, That the ſaid printed Pamphlet is moſt falſe, ſcandalous, and injurious to us and this Army, neither hath there been any ſuch Paper preſented to His Majeſty by or from this Army: And the ſame we profeſs and declare, with great deteſtation, concerning another written Paper, whereof we had a Copy ſhewed to us Yeſterday by the Commiſſioners of the City, intituled, *Articles agreed upon between the King and the Army, the* 16*th of* June. And we deſire all that wiſh well to the Army, or the King, or Peace of this Kingdom, that they would do their beſt to find out and diſcover the Authors and Publiſhers of the ſaid Papers and Pamphlets, or any thing elſe of that Nature that may be divulged concerning the Army, to interrupt or prejudice the preſent ſettling and compoſure of Affairs. And we hope it will not be further needful or expected from us, that we ſhould give particular Anſwer to every ſuch ſcandalous Paper, which the Malice of our Enemies may forge againſt us; but

that

that what we have publiſhed to the World in our Repreſentation and other Papers avowed by us, may ſerve to clear our Intentions, until we ſhall appear to act ſomething to the contrary.

Signed Wickham, July 1. 1647. *By the appointment of his Excellency Sir* Thomas Fairfax, *and his Council of War.* *Jo. Ruſhworth.*

There came Letters alſo to the Houſe, from the Commiſſioners with the Army, and therein incloſed two Letters from the General, dated *July* the firſt, at *Wickham*, whereof one of them gave to underſtand, that the General had that Day appointed Lieutenant-General *Cromwel*, Commiſſary-General *Ireton*, Colonel *Fleetwood*, Colonel *Rainsborow*, Colonel *Harriſon*, Colonel Sir *Hardreſs Waller*, Colonel *Rich*, Colonel *Lambert*, Colonel *Hammond*, and Major *Rainsborow*, to treat and debate with the Commiſſioners of Parliament, upon the Papers and *Deſires ſent from the Army to the Parliament*, and the Votes ſent to the Army, according to the Order of both Houſes, of the 26*th* of *June*, 1647. And the other Letter was in Anſwer to the Vote of the Houſe on *Tueſday* laſt, that a particular Charge ſhould be delivered into the Houſe againſt the Eleven Members by this Day: The General returning this Anſwer thereunto, 'That as he 'finds a great willingneſs in his Council of War, to anſwer the Ex'pectation of the Houſe in all things, ſo in this particular, but the 'things being of that importance to the Kingdom, and the Perſons 'charged ſo many in number, hath taken up more time than was 'expected; and therefore deſire that it may be reſpited until *Tueſday* 'next, at which time they will not fail to bring it in; and that the 'Kingdom ſhall then ſee they have not impeached the Gentlemen 'out of any private Reſpects, but in Affection and Duty to the 'Publick.

The Army appoints Officers to treat with the Parliaments Commiſſioners upon the Deſires of the Army.

There was further alſo a Copy of a Proclamation from the General, forbidding any Abuſe or Obſtruction to be offered to any Officers of Parliament, in levying the Exciſe, or other Aſſeſſments.

Exciſe.

From the Army came further this Evening, That His Majeſty went on *Thurſday* from *Hatfield* towards *Windſor*, where He expected to ſee his Children, of which He was very deſirous, but intended not to ſtay there above a Day or two, but remove ſome further diſtance from *London*.

The King removed from Hatfield to Windſor.

The Treaty with the Parliament's Commiſſioners, and the Commiſſioners from the Army, began this Morning, as was appointed. The Head-Quarters of the Army it is ſuppoſed will be removed on *Saturday* to *Reading*.

The Treaty begun with the Parliament's Commiſſioners.

Saturday, July 3. A Letter was this Day read in the Houſe of Commons, which came from *Cheſter*, giving to underſtand a late *Mutiny* of the Soldiers there, in a very high manner, and the ſtrange Courſes they took.

A high Mutiny by the Soldiers in Cheſter.

The Houſe ordered, that 2000 *l.* more ſhould be added to the former Sum, for the payment of them, and that it ſhould be referred to the Committee of *Cheſter* to conſider of this *high Mutiny*, and of reducing the number of that Garriſon.

Order for Pay

A Report was made to the Houſe concerning a Petition formerly referred of one Mr. *Goodwine* a Curate, who uſed very ſcandalous and uncivil Terms to many Members of the Houſe, for an Anſwer of that Petition. The Petition was reported to the Houſe, and ordered thereupon, that the Petitioner hath no cauſe of Com-

Petition by Mr. Goodwin, a Miniſter, who ſpoke ſcandalouſly of Members.

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plaint, that the Petition is ſcandalous, and that he deſerves to be puniſhed for his Incivilities.

4 Months Pay for Soldiers in the North.

An Ordinance was this Day read, for giving the Forces of the *Northern* Aſſociation a Months Pay, which was aſſented unto.

Ordered likewiſe, that the Committee of Sequeſtrations of *Kent*, do Pay ſix Months Pay to the Garriſon of *Dover*.

Prince Elector to viſit His Majeſty.

A Letter was this Day read in the Houſe of Commons, from the *Prince Elector*, intimating his Deſires and Intention to attend upon His Majeſty, whom he underſtood was come as far as *Windſor*, to give a Viſit to his Children. The Houſe had ſome Debate of the Prince Elector's Deſires, and ordered to leave it to his own pleaſure.

The Treaty entered upon with the Army.

A Letter was read in the Houſe from the Commiſſioners with the Army, giving to underſtand, their entering upon *Treaty with the Army*, and the manner of their Proceedings therein.

The Army at Reading.

The Head-Quarters of the Army it is certified were removed this Day to *Reading*; and His Majeſty was gone back from *Windſor* to the Lord *Craven*'s Houſe near *Cauſum*.

The King at Cauſum.

CHAP. XVI.

Proceedings in Parliament from July 5. *unto* Auguſt 1. 1647.

Munday, July 5.

A Penalty on Members.

THE Houſe of Commons this Day further conſidered of the Vote of the Houſe, *June* 10. laſt, againſt Members ſitting in the Houſe, that are not duly Elected, or that have aſſiſted the King in the late War againſt the Parliament: And it was further debated, whether a Penalty ſhould not be added to that Vote; and upon the reſult, it was voted, that a Penalty ſhould be added.

Not to ſit in the Houſe.

Ordered further, that ſuch Perſons as have ſued for, or accepted Pardons from His Majeſty, ſuch as have directed, adviſed, aſſiſted, ſigned, or conſented unto the Ceſſation of *Ireland*, or aſſiſted the Rebellion of *Ireland*, ſhall be comprehended within the ſaid Vote of 10. *Junii*, and ſhall not preſume to ſit in the Houſe; and likewiſe ſuch as ſtand Sequeſtred by Authority of Parliament, for Delinquency, ſhall not preſume to ſit in the Houſe.

Ordered further, that the Houſe take into Conſideration to Morrow, what this Penalty ſhall be, to ſuch, that contrary to the Vote, ſhall *preſume to ſtay in the Houſe.*

Trinity-Houſe. Seamen's Diſtempers.

The Petition of the *Trinity-Houſe* at *Deptford* was read, and many of the Petitioners called into the Houſe, and acquainted them with the many great Diſtempers that are happened among the inferior ſort of Seamen, which was becauſe they had not Power to prevent Miſchiefs. And ſecondly, Becauſe they wanted a Judge-Advocate. That the Ordinance then tendered to be read, for giving that Houſe further Power, ſhall be read on *Turſday* next.

This

22 *Caroli* I.

This Day the Houſe of Peers had debate of the Propoſitions for Peace to be ſent to the King, and inſiſted upon the Perſons exempted out of Mercy. And their Lordſhips thought fit to have Prince *Rupert*, Prince *Maurice*, the Marquis of *Newcaſtle*, Lord *Jarmin*, Sir *John Stranguidge*, and others, to the number of twenty five in all, to be left out of that Qualification, and put into the next. The further Conſideration was referred till another time.

Perſons excepted from Mercy.

By Letters from the Commiſſioners with the Army it was this Day certified, that the *Treaty goes fairly on*, and thereupon we have great hope of a fair Compoſure. The manner of their Proceedings in the Treaty, with the Copies of the ſeveral Papers, from the firſt Meeting, is as followeth.

Treaty with the Army.

At the Treaty begun, *Wickham*, *July* 2. 1647. Preſent of the Commiſſioners of the Parliament, Earl of *Nottingham*, Lord *Wharton*, Field-Marſhal *Skippon*, Sir *Henry Vane*, Junior, Sir *Thomas Widrington*, Colonel *White*, *Thomas Scawen*, Eſq; and *Thomas Povey*, Eſq;

A Method for the Treaty with the Army.

Preſent of the Commiſſioners for the Army, Commiſſary-General *Ireton*, Sir *Hardreſs Waller*, Colonel *Rich*, Colonel *Lambert*, Major *Desborow*.

For the Method of Proceedings it is offered by the Commiſſioners of Parliament, that ſeeing the Treaty is to be had upon the Papers and Deſires ſent from the Army to the Houſes, and the Votes of the Houſes ſent to their Commiſſioners reſiding with the Army,

1. That in all Matters to be treated on, there ſhall be a free Debate had by Conference.

2. That the Reſults of ſuch Debates, in Points that relate to the Deſires of the Army, ſhall be by Commiſſioners of Parliament delivered to the Commiſſioners of the Army, in Writing, to be preſented to the Council of War, for their Conſideration, that a ſpeedy Concluſion may be thereupon had.

3. That in this Treaty nothing ſhall be taken for the Deſire, Opinion, or Reſolution of the Commiſſioners on either part, but what is given in Writing, Signed by their reſpective Secretaries.

4. That in the managing of the Treaty, and for the more ſpeedy expedition, that at any time Papers, Signed as aforeſaid, may be ſent and received betwixt the Commiſſioners upon imergent occaſions.

5. That we ſhall be deſirous to hear from the Commiſſioners of the Army, the way and method wherein they intend to proceed in the managing of the Deſires of the Army, wherein we ſhall not doubt, but that they will take ſuch Courſes as may tend to the greateſt Expedition.

6. That Meetings of the Commiſſioners ſhall be from time to time by mutual Agreement of the Commiſſioners, or upon the deſire of either Party reſpectively, at ſuch place within the Head-Quarters, as the Commiſſioners for Parliament ſhall appoint.

Wickham, from the *Catharine-Wheel*, 2. *July*, 1647.

Signed by the appointment of the Commiſſioners of Parliament.

Geo. Pyke, *Secretary.*

To

An. 1647.

To the Officers of the Right Honourable the Commiſſioners of Parliament. For the Method of proceeding, the Commiſſioners of the Army do anſwer.

The Army's method to treat.

1. TO the firſt, we agree fully. 2. To the ſecond, we agree. 3. To the third, we wholly agree. 4. To the fourth, we agree. 5. To the fifth, we ſhall willingly perform what is deſired, at leaſt in parts from time to time as there is occaſion; but we deſire that there may be no ſtop to the proceeding in the Treaty, upon any part of things to be treated on in expectation of a general Method for the whole. 6. To the ſixth, we wholly agree.

Wickham, Catharine-Wheel, July 2. 1647.

Signed by by the appointment of the Commiſſioners of the Army.

Will. Clarke.

A Paper delivered in by the Commiſſioners of the Army.

This Paper following was delivered in by the Commiſſioners of the Army, in Anſwer to ſome verbal Objections made by the Commiſſioners of the Parliament, at a private Debate or Conference.

HAving heard the objections of your Lordſhips, and the reſt of the Commiſſioners to the things we propoſed, as wanting in the late Votes of the Houſes, in relation to the deſire of the Army ſent from *Uxbridge, June* 27. 1647. We are ſatisfied to lay aſide ſome of theſe particulars, and to inſiſt only on theſe following, which we humbly deſire the Parliament would be pleaſed to conſider.

Things wanting in the late Votes of the Houſes, in relation to the Deſires of the Army, ſent from Uxbridge, June 27. 1647.

To the firſt deſire, That either the Declaration mentioned in that Article, may be recalled, or elſe that it may be further declared, that thoſe that ſhall contrary to the order of *June* 28. leave the Army, ſhall not have any benefit of that former Declaration for preſent payment of Arrears.

To the ſecond, That the proviſion may be quickned with Effect.

To the third, Whereas on *Tueſday June* 28. it was voted, that thoſe that had left the Army, ſhould forthwith, be either ſent over into *Ireland*, or disbanded; and it was referred to the Committee for *Ireland* to conſider how that Vote may be put in Execution, and report their Opinion on *Thurſday* Morning then next following, now ſince we hear not of any Report made thereupon, or any further care taken therein (after 5 or 6 days Relapſed) we humbly deſire, that in caſe they be not without further delay ſent and ſhipt for *Ireland*, they may forthwith be diſcharged, and diſperſt.

To the fourth, We deſire that the Ordinance for the purpoſe in that Article preſſed, may be ſpeedily paſt, and put in Execution.

To the ſixth, We deſire, that the Eſtabliſhment intended for preſent Maintenance of the Army (as alſo Proviſion for Arrears) may be haſtned with Effect.

Little being yet done in relation thereunto, we have ſeveral things of weight to offer, which we conceive will very much conduce to the preſent preſerving of the Peace, and ſafety of this Kingdom; for the preventing of a new War, and to the ſending of ſome preſent relief for *Ireland*, which we ſhall next offer.

Reading, July 5. 1647.

By the appointment of the Commiſſioners of Parliament.

Thomas Margets.

A Proclamation againſt Plunder

The Head Quarters continue at *Reading*: Some complaints have been made to the General of abuſes committed by divers Souldiers, and for preventing thereof for the future, his Excellency hath ſet forth a Proclamation, charging and requiring all Souldiers whatſoever

ver, to forbear taking of Horſes from any Perſon whatſoever, without ſufficient Warrant, or to compel any Perſon where they quarter, to give them any mony, and in further purſuance thereof, his Excellency hath alſo granted Commiſſions to the Colonel, Lieute-Colonel, or Major of every Regiment, for puniſhing of Offences by a Council of War in each Regiment. 22 *Caroli* I.

The Prince *Elector* came this day to the Court, at the Lord *Craven's* Houſe by *Cauſum*, to viſit his Majeſty. *Prince Elector.*

Tueſday July 6. The Houſe ordered to ſit every day at 8. and the Committee of *Goldſmiths Hall*, to Report till 9. and the Houſe to riſe at 12. the Committees may meet for diſpatch of Buſineſs in the afternoon.

The Houſe conſidered of the Buſineſs of the Army, and made ſeveral Votes as followeth, 1. The Treaſurers of *Goldſmiths Hall* ſhould pay the Treaſurers of the Army, the remainder of 200000 *l.* formerly appointed for the Army, as it doth ariſe. *Mony for the Army.*

That the Committee and Treaſurers of the Army, have Power to bring in the Aſſeſments of the 60000 *l. per Menſem*, as they had for bringing in the Aſſeſments for the Army.

That 20000 *l.* be paid by the Treaſurers of *Weavers Hall*, to the Treaſurers at Wars, towards the Months pay for the Army.

That the like power be given to the Committee and Treaſurers at Wars, for allowing free quarter, in like manner as they did allow it formerly in the Aſſeſments for the Army in Aſſociation.

That 6000 Coppies of the Ordinance of 60000 *l. per Menſem*, be ſent into the ſeveral parts of the Kingdom.

That all ſuch Garriſons, as were formerly Voted to be Diſmantled, be forthwith Diſmantled accordingly, and that the Committee of *Derby* Houſe do ſee this done.

It was referred to the Committee of *Ireland*, to diſtribute the 25000 *l.* part of the mony aſſigned for *Ireland*, to the ſeveral Provinces of *Ireland*. *Ireland.*

This day alſo the particular charge againſt the Eleven Members, was brought to the Houſe of Commons, by Colonel *Scroop*, Colonel *Okey*, Colonel *Hewſon*, Colonel *Pride*, Lieutenant Colonel *Bowen*, Lieutenant Colonel *Goffe*, Major *Rainsborough*, Captain *Berry*, Captain *Clerke*, Captain *Carter*, Captain *Ralph*, Captain *Saxby*, and Mr. *Gethings*, who attended at the Commons Door, and the Houſe having notice thereof, they were called in; Colonel *Scroop* ſpake to this effect. 'That by the appointment of the General and Army un-'der his Command, and in their Names, they were to preſent a par-'ticular Charge or Impeachment againſt the Eleven Members. Which being done, and they deſired to withdraw, the Members impeached were ſent for in, and the Charge read in the Houſe, but the Day being far ſpent, the Debate thereupon was put off till *Thurſday* next; at which time the Officers of the Army were to attend, and receive an anſwer from the Houſe. *Charge againſt the 11 Members brought in by the Army.*

A Paper delivered in by the Commiſſioners of Parliament, Wedneſday, July 7. 1647.

THat finding the Expectation of the Parliament and the Kingdom to be very great upon the ſpeedy Progreſs and happy Iſſue of this Treaty; in conſideration whereof, we have made it our care conſtantly to attend at the appointed times of meeting, and to preſs and diſpatch all therein: And we cannot but take notice, that the Proceedings on your part, have been and

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An. 1647.

are very ſlow, and that little or nothing have been done in the Treaty ſince our entrance thereupon; and therefore in diſcharge of our Duty, and the Truſt repoſed in us, we do very earneſtly deſire, that the Treaty may be effectually proceeded on with all expedition, and the times for meeting punctually kept, there being nothing that ſhall be wanting in us, according to the power given us, to further a work of ſo great Importance, and which may perfect a right Underſtanding betwixt the Parliament and the Army.

Reading, July 7. 1647.

Signed by the appointment of the Commiſſioners reſiding with the Army.

George Pyke, *Secretary.*

An anſwer of the Commiſſioners of the Army, to the Paper of the Commons of Parliament, about a ſpeedy Proceeding.

BY the laſt Paper delivered in unto us from your Lordſhip's, at *Reading*, the 7th of *July*, we perceive you find that the expectation of the Parliament and Kingdom is great upon the ſpeedy Progreſs, and happy Iſſue of this Treaty. We anſwer, that we do really apprehend the ſame things with you; neither can we but witneſs, that you have conſtantly attended the appointed times of Meeting, and preſs'd Diſpatch therein; nevertheleſs, we cannot but be very ſenſible, that you ſeem to reflect on us further than there is juſt Cauſe, in your taking notice that the Proceedings herein ſhould be ſlow and dilatory on our part, as if we ſhould not ſeem to deſire and labour the quick and ſpeedy ſettlement of the Affairs of the Kingdom, in a ſafe and well-grounded Peace, as cordially as any Perſons whatſoever. We ſhall therefore deſire you to remember with what forwardneſs we have in the firſt place preſented to you thoſe things which we did in our Hearts conceive neceſſary in order to a Treaty, and without which granted, we could not with ſafety to the Kingdom, and ſatisfaction to our ſelves, proceed in Treaty; and further preſs'd you to preſent them to the Parliament with ſpeed, that a quick diſpatch might be had therein, as being, in our Thoughts, the cheſeſt and ſureſt way to prevent the engaging this Kingdom in a ſecond War, when, contrary to our Expectations, we have found little effectually done in relation to our deſires in thoſe things moſt concerning the ſafety and peace of the Kingdom.

To the end therefore we may acquit our ſelves of being guilty of the delay you mention, and that it may appear to all Men where the ſtick is, of not proceeding in the Treaty, to a ſettlement of the Peace of the Kingdom, ſo much thirſted after by us all, we thought fit to remind you of theſe following Propoſals, which we have formerly inſiſted upon, and to which ſatisfaction is not given.

1. That there is nothing done with effect, notwithſtanding the Votes of the Houſe, to the diſperſing of the Reformado Officers, who ſtill continue in and about *London*, ready to head Forces, to the apparent hazard of a new War.

2. That notwithſtanding the Votes of the Houſe for the ſpeedy ſending into *Ireland*, or disbanding thoſe Forces which left the Army, and their ſpecial Order to the Committee at *Derby-Houſe* to take ſpeedy care therein, yet they are ſtill continued in Bodies in and about *London*; and, as we hear, are daily liſting more Force, pretending the Service of *Ireland*.

3. That notwithſtanding the Votes of the Houſe, of the tenth of *June*, and thoſe ſince of the 5th of *July*, for the preſent purging of the Houſe, yet divers Perſons compriſed in thoſe Votes ſtill continue to ſit there.

So long as we remain unſatisfied in the two firſt of theſe Particulars, we cannot be ſecured from thoſe Doubts we have expreſſed of the danger of a new War; eſpecially if it be conſidered, that the end of inviting ſo many

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Reformado Officers to *London*, was to lay a foundation of a new War; and was principally carried on by the deſign of ſome of thoſe Members of the Houſe of Commons we have impeached. And likewiſe that divers of the Officers and Soldiers which left this Army, were procured by promiſes of Pay, and other Engagements, which were likewiſe deſigned by the ſame Perſons aforementioned, if poſſibly they might, thereby have broken this Army. *22 Caroli.*

And for the laſt, What comfortable effect may we expect of a Treaty, ſo long as the Parliament (the ſupream Judicatory of the Kingdom) is conſtituted of ſome that are Men of Intereſts, contrary to the common-good thereof, from whom we can expect nothing but banding, and deſigning to obſtruct and fruſtrate all Proceedings (contrary to their Intereſts) though never ſo eſſential to the happy ſettlement of the Kingdom; and if a ſeaſonable Remedy be not given herein, we deſpair of any good to the Kingdom by way of Treaty.

Reading, July 7. 1647.

Signed by the appointment of the Commiſſioners of the Army.

William Clerke, *Secretary.*

Wedneſday, July 7.

Wedneſday being the laſt Day of the Term, whereby the Speakers of both Houſes could not be abſent from the Chancery, and the Members having other extraordinary occaſions in relation to the Term, therefore the Houſe adjourned till *Thurſday*.

This Day Monſieur *Beleure*, the *French* Ambaſſador, came to *Cauſum*, and was entertained with very great reſpect at Court, and had Audience of His Majeſty in the Preſence Chamber.

Thurſday, July 8. Reports was this Day made to the Houſe, of the Liſt of the Judges for this next Circuit, and paſſed as followeth, Baron *Trevor* and Juſtice *Pheſant*, for *Norfolk* Circuit; Juſtice *Bacon*, Sergeant *Creſwell*, for *Eſſex* Circuit; Juſtice *Rolle*, for *Lincoln* Circuit; Baron *Atkin*, Sergeant *Clarke*, for *Oxford* Circuit; Juſtice *Godbolt*, Sergeant *Wild*, —— Sergeant *Jermin*, Sergeant *Green*, for other Circuits. *Judges for the Circuits.*

Ordered further, that the Committee appointed for preparing Inſtructions for Judges do meet this Afternoon, and bring them in on *Munday* morning next.

The Sheriffs of *London*, and certain of the *Militia*, came down to the Houſe this Day, and acquainted the Houſe, that they were commanded to preſent a Petition, which was read, and it was to deſire 20000 *l.* out of *Weavers-Hall*, for *defraying the Charge of the Militia*, and that the Ordinance paſt the *11th.* of *June* laſt, for raiſing Horſe for defence of the City, may be renewed, the time being expired. *Militia of London to raiſe Horſe.*

The Houſe ordered, that the Power of the Militia of *London*, which they ſhall have by this Ordinance, ſhall not exceed the raiſing of *one Regiment* of Horſe to the number of Six hundred.

That the Militia of *London* be deſired to give order, that the *Guards* appointed to attend the Houſes, may be at the Houſes by *Seven of the Clock* at fartheſt, daily. *Guard.*

Friday, July 9. This Day Letters were read in both Houſes from His Excellency Sir *Thomas Fairfax*, concerning the King and the Peace of the Kingdom; the buſineſs being of that Concernment, we will give you the Letters *verbatim*, as followeth.

An. 1647.

The General's Letter to the Parliament, concerning the King.

Mr. Speaker,

I Was ſent unto by the King on Friday laſt, to deſire the Parliament to give way to him to ſee his Children, and that they might for that purpoſe be ſent to him. If I may be bold humbly to offer my Opinion, I think the allowance of ſuch a thing may be without the leaſt prejudice to the Kingdom, and yet gain more upon His Majeſty than denying it; and if it be in the Prayers of every good Man, that his Heart may be gained, the performance of ſuch Civilities to him is very ſuitable to thoſe Deſires, and will bear well with all Men, who (if they can imagine it to be their own Caſe) cannot but be ſorry if His Majeſty's natural Affection to his Children, in ſo ſmall a thing ſhould not be complied with; and if any queſtion ſhould be concerning the aſſurance of their return, I ſhall engage for their return, within what time the Parliament ſhall limit.

Upon that occaſion, give me leave, I beſeech you, to take notice of ſome Reports ſpread abroad, as if my ſelf, and the Officers of the Army, were upon ſome underhand Contract or Bargain with the King; and from thence occaſion is taken to ſlander our Integrity, and endeavour a miſunderſtanding betwixt the Parliament and their Army; the fidelity of which to the Parliament and Kingdom, and their affection to it, are the great Objects of many Mens Envy; becauſe they ſee nothing ſo likely to ſettle Right and Freedom with Truth and Peace to us and Poſterity, and to hinder their deſigns againſt the ſame, as an harmony and good accord between the Parliament and Army, which is the joy of good Men, and it ſhall be our ſtudy to preſerve againſt all Deſigns, and Deſigners to the contrary.

To prevent therefore all Miſunderſtandings of that kind, I thought with all clearneſs to declare unto you, That we have done nothing, nor ſhall do any thing which we deſire to hide from you or the World, or ſhall not avow to the Faces of our greateſt Adverſaries.

Our Deſires concerning a juſt Conſideration and Settlement of the King's Right (His Majeſty firſt giving his Concurrence to ſettle and ſecure the Rights and Liberties of the Kingdoms) we have already publickly declared in our Repreſentation and Remonſtrance. Since the firſt of thoſe Papers ſent unto the Parliament, there have been ſeveral Officers of the Army, upon ſeveral Occaſions, ſent to His Majeſty, the firſt to preſent him a Copy of the Repreſentation; and after that ſome others, to tender him a Copy of a Remonſtrance; upon both which, the Officers ſent were appointed to clear the ſence and Intention of any thing in either Paper, whereupon His Majeſty might make any queſtion. Since then there have alſo been ſome Officers at ſeveral times ſent to His Majeſty, about his remove from Hatfield, to diſſwade, if poſſibly, from Windſor, or any place ſo near London, to ſome place of further diſtance, anſwerable to what we had deſired of the Parliament. In all which Addreſſes to His Majeſty, we care not who knows what hath been ſaid or done; for as we have nothing to bargain for or ask, either from His Majeſty or the Parliament, for advantage of our ſelves, or any particular Party or Intereſt of our own, ſo in all theſe Addreſſes to His Majeſty, we have utterly diſclaimed and diſavowed any ſuch thing; but the only intent and effect of thoſe our Addreſſes hath been, to deſire His Majeſty's free Concurrence with the Parliament, for eſtabliſhing and ſecuring the common Rights and Liberties, and ſettling the Peace of the Kingdom, and to aſſure him, (that the Publick being ſo provided for, with ſuch His Majeſty's Concurrence) it is fully agreeable to our Principles; and we ſhould be deſirous and endeavour, that (with and in ſuch ſettling of the Publick) the Rights of His Majeſty's Royal Family ſhould be alſo provided for, ſo as a laſting Peace and Agreement might be ſettled in this Nation; and that as we had publickly declared for the ſame in general Terms, ſo if things come to a way of ſettlement, we ſhould not be wanting (in our Spheres) to own that general deſire, in any Particulars of natural or civil Right to His Majeſty's Perſon or Family, which might not prejudice, or again endanger the Publick; and in the mean time, that His Majeſty ſhould find all perſonal Civilities and Reſpects from us, with all reaſonable freedom that might ſtand with ſafety, and with the Truſt or Charge lying upon us concerning his Perſon.

You have here the utmoſt Sum of what hath paſſed from us to His Majeſty, and we could wiſh all Men did rightly underſtand (without miſrepreſentation) every particular wherein (as we know nothing not agreeable to Reaſon, Juſtice, Honeſty, or Conſcience, ſo) we thought our ſelves concerned the rather to ſay and do as we have towards His Majeſty, ſince he came within our Quarters, becauſe of thoſe common Prejudices ſuggeſted againſt us, as if we were utter Enemies to Monarchy,

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and all Civil Order or Government. And for that Particular of the Duke of Richmond, *and the two Chaplains lately permitted to attend His Majeſty, it was not done without much reluctancy, becauſe therein we doubted we might be miſunderſtood by the Kingdom's beſt Friends.* An. 1647.

But upon His Majeſty's continuing importunity for it (as a thing very nearly concerning his inward and outward Contentment, and conceiving theſe Perſons ſuch (as we hoped) would not do ill Offices to prejudice the peace of the Kingdom, we did give way to it, and the Perſons, before they came, had notice of permiſſion. And as we then thought, ſo we ſtill do think, that to allow him ſome ſuch Company of Perſons leaſt dangerous, whom former Acquaintance may make him take pleaſure in; and the allowance of ſome ſuch Chaplains of his own, are things both reaſonable and juſt; and the debarring of that liberty in the latter, we doubt, will but make him more prejudiced againſt other Miniſters.

In general, we humbly conceive, that to avoid all harſhneſs, and afford all kind uſage to His Majeſty's Perſon, in things conſiſting with the peace and ſafety of the Kingdom, is the moſt Chriſtian, honourable and prudent way: And in all things (as the Repreſentation and Remonſtrance of the Army doth expreſs) we think that tender, equitable, and moderate Dealing, both towards His Majeſty, his Royal Family, and his late Party (ſo far as may ſtand with ſafety to the Kingdom, and ſecurity to our common Rights and Liberties, is the moſt hopeful courſe to take away the Seeds of War, or future Feuds amongſt us for Poſterity, and to procure a laſting Peace and Agreement in this now diſtracted Nation; to the effecting and ſettling whereof (with a ſecure Proviſion firſt to be made for the common Rights and Liberties of the Kingdom, and a due care to preſerve and propagate the Goſpel of Truth and Peace amongſt us) we ſhall hope, that neither the Parliament, nor His Majeſty, will be wanting. And if God ſhall ſee it good to make us any way Inſtrumental thereunto, or that we may otherwiſe ſee the ſame accompliſh'd, we ſhall then think our ſelves indeed diſcharged from the publick Engagements, we have been called out unto, more clearly and effectually then (before ſuch things were ſettled) we could have thought our ſelves to be, and to demonſtrate our clearneſs from ſeeking Self advantages in what we did, we ſhall henceforth account it our greateſt happineſs and honour (if God ſee it good) to be diſingaged and diſmiſs'd, not only from our Military Charges, but from all other Matters of Power or Publick Employment whatſoever.

I have in theſe things ſpoke not in my own Name alone, but in the Name (becauſe I find it to be the clear ſence of the generality, or at the leaſt of the moſt conſiderable part) of the Army; and I am confident, you and the Kingdom will never find it otherwiſe. I ſhall leave it to your favourable Conſtruction, and commit all to the Goodneſs of God for an happy Iſſue. I remain your humble Servant,

Reading, July 8. 1647.

Tho. Fairfax.

Ordered, that the Charge of the Army ſhall be debated to Morrow Morning the firſt buſineſs, and nothing to Intervene.

Reduced Officers and Soldiers to depart the City.

Saturday July 10. An Ordinance paſſed both Houſes for disbanding Soldiers, and others pretending to be reduced Officers and Soldiers, to depart the Lines of Communication by the 15*th.* of *July* next, and that they ſhall not return to *London* within the ſpace of two Months, and the execution of the ſaid Ordinance was referred to the Committee of Militia of *London.*

Tumultuous Meetings and Liſtings.

The Houſe had debate concerning ſome late *Tumultuous Meetings in London*, and declared againſt all ſuch unlawful Meetings, giving alſo power to the Committee of the *Militia* of *London*, to *ſuppreſs* all ſuch Meetings, upon pretence of Liſting or otherwiſe, and commit ſuch of them as they ſhall think fit.

A further Order was made, that no Officer of War or Soldiers ſhould come within the Lines of Communication, other than thoſe that are already in, upon pretence of ſharing in the Money lately ordered for Officers and Soldiers

An. 1647.

Sheriffs of London *and Army.*

The Sheriffs of *London* with certain of the common Council attending the Houſe this Day, acquainted them with a Letter they had received from his Excellency Sir *Thomas Fairfax*, concerning the *Proceedings of the Treaty* with the Army, (ſince Printed) which was read, and the Houſe gave them Thanks for communicating the ſame to them.

The Houſe this Day again read the particular Charge againſt the Eleven Members, and had a large debate thereupon, Forenoon and Afternoon, but came to no concluſion, referring the further Debate till *Munday* next.

Colonel Maſſey 2000 *l.*

A Petition by Colonel *Maſſey*, and a Certificate from the Committee of Accompts, of the Arrears due unto Colonel *Maſſey*, were read and debated, and thereupon the Houſe ordered him 2000 *l.* as part of his Arrears out of *Weavers Hall* and *Goldſmiths Hall*.

The King is ſtill at the Lord *Cravens* Houſe by *Cauſum*, and the Head Quarters of his Excellency Sir *Thomas Fairfax*'s Army ſtill at *Reading*.

Monday July 12. The Houſe of Commons (as was ordered) further proceeded in the debate of the *particular Charge* againſt the Eleven Members, and upon the reſult of all, they voted it a Charge, and that the ſaid Eleven Members ſhould give in their anſwer thereunto by *Monday* next, at which time the Houſe will conſider of putting the ſame into ſome ſpeedy way of tryal, as is deſired.

Council appointed for the 11 *Members.*

The Houſe ordered that Maſter *Chute*, Mr. *Pryn*, Maſter *Glover*, Mr. *Hales*, ſhall be Council for the accuſed Eleven Members of the Houſe, that were included in the late Votes of adhereing to the Kings Party, were ordered to preſent their Caſes to the Houſe on this Day; but by reaſon of other extraodinary Occaſions, the Houſe ordered the Caſes of thoſe Members ſhould be read and debated on to Morrow Morning.

Iron Chain.

It was referred to the Committe of the Army, to examine why there was not a *Chain* put upon the 200000 *l.* at *Weavers-Hall*, as there was upon the 200000 *l.* raiſed for the *Scots*.

The Houſe of Peers ſent a Meſſuage to the Commons, and therewith a Letter from His Majeſty to the Duke of *York*, Intimating His Majeſties Deſires to ſee His Children, which their Lordſhips thought fit, did condeſcend unto, deſiring the Commons Concurrence, His Majeſties Letters was read in the Commons Houſe, and is as follows.

The Kings Letter to the Duke of York.

JAMES, CAUSAM, 4 July, 1647.

I Am in hope that you may be permitted, with your Brother and Siſter, to come to ſome place betwixt this and London, *Where I may ſee you, to this End therefore I command you to aſk leave of the two Houſes, to make a Journey (if it may be) for a Night or two, but rather than not to ſee you, I will be content to come to ſome convenient place to Dine, and go back at Night: And foreſeeing the fear of your being within the power of the Army, as I am, may be objected to hinder this my deſire, I have full aſſurance from Sir* Thomas Fairfax, *and the Chief Officers, That there will be no Interruption or Impediment made by them for your return, how and when you pleaſe. So God bleſs you.*

Send me word as ſoon as you can, of the time and place where I ſhall have the Contentment of ſeeing you, your Brother and Siſter.

Your Loving Father, CHARLES R.

The Kings Children to go to the King.

The Commons upon Debate of this Letter, and what was propoſed by the General in a Letter the laſt Week concerning the ſame, Voted and agreed upon by both Houſes, that His Highneſs the Duke

of

22 *Caroli* I.

of *York*, and the reſt of the Kings Children, ſhall have leave to go to His Majeſty, and continue with him for two Days, and then return, and the Earl of *Northumberland* to go with them, and take care of them.

Clifford's Tower.

The Lord-Mayor of *York* ſhall have the Care, Charge, and Cuſtody of *Clifford's-Tower*, in *York*.

Reduced Officers.

A Petition was this Day preſented to the Houſe, in the name of many reduced Officers who had not received any part of their Arrears, but nothing done upon it.

Private Liſtings.

The Committee appointed formerly to conſider of *Private liſting* of Forces in *London*, was ordered to meet this Afternoon, and to ſend for one *Furr* and *Nuſſe*, and examine them throughly.

Tumults.

The Committee for drawing an Ordinance to prohibit all riotous and tumultuous Meetings, were ordered preſently to withdraw, and to bring in the Ordinance with all ſpeed, that ſo Tumults may be prevented for the future.

Mutiny in Ireland.

To ſpeak a little of the ſad Subject of *Ireland*, by Letters from *Dublin*, it is certified, That the Soldiers there (for want of Money) have been very *Mutinous*: And a Mutiny lately by ſome of Colonel *Kinaſton's* Men proceeded ſo high *as to endanger Dublin*, but the Mutineers, through the vigilancy of the Governour Colonel *Jones*, (who himſelf nearly eſcaped a Shot) were at laſt appeaſed, vowed Oblivion, and promiſed amendment, upon which they were again received into Favour; and upon their ſubmiſſive Petition their particular *Grievances* were referred to a Court-Marſhal.

Demanding Advance and Arrears.

The Soldiers of Sir *John Burlaſſe's* new Model Regiment fell into a general *Mutiny* in the *Field*, and ſent a Petition demanding Advance-Money and Arrears, *&c.* by a Drum, but Colonel *Jones* returned Anſwer, That he having ſent their Petition to the Commiſſioners, did let them know, that for pity they were taken in the Service, that there was no need of them, and if they did not immediately depart peaceably to their Quarters, that Regiment ſhould be disbanded, and they proceeded againſt according to their Demerits. This ſo ſtartled them, that they preſently march'd home in order.

Regiments reduced in Ireland.

The eleven Regiments of Foot, of the old Army, are reduced into ſeven, *viz.* the Earl of *Kildare*, Lord *Moors*, Sir *Henry Tichburne*, Sir *John Burlaſſe*, Colonel *Willoughby*, Colonel *Bayley*, and Colonel *Flower*, in all about four thouſand. The Horſe are not yet reduced, but will be ſuddenly.

A Defeat given to the Garriſon of Trim.

An unhappy Diſaſter hath lately befallen the Garriſon of *Trim*; four Troops of the Rebels having the opportunity of a Fog, and and the advantage of a ſleepy Centinel, early in the Morning ſwept away forty Horſe of honeſt Captain *Hunt's* Troop, and above eighty Head of Cattel from under the Walls of *Trim*. The Governour, Colonel *Fenwick*, was abſent on buſineſs, ſo that there's the end of a very faithful Troop, if not recruited with Horſe from *England*, which will be difficult. But to recompence this Loſs, Colonel *Conway* and Colonel *Trevor*, of *Haringford*, having joined their Forces on a deſign againſt the Garriſon of *Charlemont*, had ſuch good Succeſs, that beſides killing divers, they brought away eight hundred Cattel, and two hundred Horſes, many being ſerviceable Horſes, which hath almoſt undone that Garriſon; ſo that if a reaſonable number marched to that Place, they might have it for asking; and a Place

Succeſs againſt the Garriſon of Charlemont.

An. 1647.

The Ambuſcade routed, and good Plunder.

a Place which is the only Garriſon or Place of Strength that can give a pretence of continuing any Forces in *Ulſter*.

A Troop of Colonel *Coote*'s Horſe, with Ten of Captain *Moor*'s Troop, having notice of an Ambuſcado of Rebels near the Garriſon of *Plare*, fell upon them, routed them, killed ten in the execution, and took ſixteen Horſe, and had like to have entered their Garriſon with them, which was *Welden*-Caſtle, from whence they brought ſixty Cows, and Carrons beſides.

A Defeat given to Owen Roe Neale.

June the 22*d*. Colonel *Chudley Coote* marched out of *Drogheda* with five hundred Horſe and Foot, to the City of *Cavin*, and by the break of Day, on *Monday* Morning, the one and twentieth fell into *Owen Roe O Neale*'s Quarters. Of the *Ulſter* Men took two of the *Ryly*'s Priſoners, and one Mr. *Dawley*, being Gentlemen of very good Note, and leading Men amongſt the Rebels, killed twenty five, for they ſtood not one quarter of an Hour, but run into the Bogs, took fourteen Troop Horſes, five hundred Cows, one thouſand Sheep, and two hundred and fifty Plough-Horſes. This is the third piece of Service his Regiment hath done.

Intelligence from Scotland.

From *Scotland* Letters tell us, There have been great endeavours to raiſe Forces to come into this Kingdom, and at *Edinburgh* ſeveral Meetings have been of the Eſtates, where it was debated, and once all Night, what ſhould be done by that Nation, as to the Affairs of *England*, but no material thing was determined, only that in caſe an Army ſhould be raiſed, that *David Leſhly* ſhould be General; but as to the raiſing of an Army, the difficulties to be got over were too many, and ſo nothing done except private Liſtings.

Tueſday, July 13. 1647. This was the firſt Day of Relaxation (according to Ordinance of Parliament) for Scholars and Apprentices; and the Shops, for the moſt part, were ſhut up throughout the City.

Here follows the Petition of many hundred Young-Men and Apprentices of the City, to the Houſe of Commons, *viz.*

The Humble Petition of many Thouſands of Young-men and Apprentices of the City of London, *to the High and Honourable the Knights, Citizens, and Burgeſſes in the Supream Court of Parliament aſſembled, preſented the* 13*th. of* July 1647.

To the High and Honourable the Knights, Citizens, and Burgeſſes in the Supream Court of Parliament aſſembled.

The Petition of divers Young-men and Apprentices of the City of London.

Humbly Sheweth,

THat whereas upon the firſt of *March* laſt paſt, your Petitioners preſented (to this Honourable Houſe) an humble Petition ſubſcribed with many thouſand Hands, containing many things of publick Concernment, both in relation to the Kingdom in general, and your Petitioners in particular, as may appear by a Copy of the ſame hereunto annexed; at the reading of which, your Honours were pleaſed to promiſe the taking the ſame into ſerious Conſideration, in convenient time. In hopes of which your Petitioners have, with all Humility and Modeſty, according to our Duty, waited ever ſince for the accompliſhment of the ſame, forbearing all clamorous and tumultuous Conventions, whereby your Honours might in the leaſt have been diſturbed in the quiet and peaceable proſecution of your weighty

weighty Affairs. And we cannot but with all Thankfulneſs acknowledge what you have already acted towards the ſatisfaction of our juſt Deſires in part; but finding to the great Grief of our Hearts, that in matter of greateſt Concernment, inſtead of hoped Redreſs, our heavy Grievances are increaſed, by the late Ejection of Men of known Fidelity out of their ſeveral Offices in the City Regiment of Trained Bands and Auxiliaries, to the great Grief of moſt honeſt Men, who have been Eye-witneſſes of their Faithfulneſs and Forwardneſs in the diſcharge of their ſeveral Truſts, and without any Crime laid againſt them, ſo much as to give a pretended Ground of this their unjuſt expulſe. Likewiſe inſtead of compoſure of Differences, we find that encouragement is given to Men of turbulent and ſeditious Spirits, to ſtir up Diviſions, by rendring thoſe that concur not with them in every Punctilio, (in point of Judgment) as Men unworthy to enjoy their Birthrights, Priviledges, or Subſiſtance in the Kingdom, notwithſtanding they have given never ſo eminent Teſtimony of their ſincere Affections to the Common-good, whereby thoſe too officious Incendiaries ſeem more to drive at their particular Deſigns, than the conſervation of Peace and Unity in the Commonwealth: And hereby, together with their late induſtrioufneſs, in ſtriving to exaſperate the City againſt the Army, have endeavoured, what in them was, to embroil the Kingdom in a ſecond War, moſt dreadful to all well-minded People to think of: Neither is it the leaſt of our Grief to remember the late abuſe of the Authority of this Houſe, by the too great influence of ſome Arbitrary Spirits, in the late abuſing and ſlighting Petitioners, contrary to their former Declaration, touching the Liberty of the Subject, the very foundation of which was by this means moſt miſerably ſhaken: Nor can we be unſenſible of the Miſery ſome Free born Subjects yet undergoes, by being detained in Priſon from time to time, without being brought to a legal Tryal, notwithſtanding their ſeveral Appeals to this Honourable Court. Upon theſe and other preſſing Conſiderations, we aſſume the boldneſs once more to preſent theſe our enſuing Requeſts to this Honourable Houſe. 22 *Caroli* I.

Firſt, That you will be pleaſed, with all convenient ſpeed, according to your Promiſe, to take the ſeveral Heads of our former Petition into ſerious Conſideration.

Secondly, That your Authority ſo apparently abuſed, contrary to Right and Equity, by thoſe that have of late effected the Ejection of Men of known Fidelity and Account out of Places of ſo important Truſt, may be forthwith redeemed out of their hands; and that thoſe that have been ſo unreaſonably expulſed, may be again reſtored to their Places, till ſufficient ground may be made apparent to the contrary.

Thirdly, We further pray, That you will be pleaſed to declare againſt all manner of Invectives of the Clergy, or others, tending to the aggravation of Differences amongſt peaceable Spirits.

Fourthly, And that thoſe Priſoners who have appealed to this Honourable Court for Juſtice, may be forthwith put into a way of impartial Tryal.

And *Laſtly*, That the ſum of all your Endeavours may tend to the ſweet Compoſure of Differences on all ſides, ſo far as it may be congruent to the Rules of Piety and Equity.

And your Petitioners ſhall ever pray, &c.

This Petition was read in the Commons Houſe, and thereupon, It was ordered, That Sir *John Danvers*, Alderman *Atkins*, and Colonel *Ven*, do acquaint the Petitioners, That the Houſe is at this time upon the Conſideration of ſettling the Peace and great Affairs of the Kingdom, and that they will conſider of it in convenient time.

Which the above-named Members did accordingly, and withal declared, That the Houſe did with Thankfulneſs take notice of the civil

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civil and modeſt behaviour of the Petitioners in the delivery of their ſaid Petition.

Another Petition was likewiſe talked of to be preſented from another party of Apprentices of the City, ſtiled, *The Petition of divers Young-men and Apprentices of the City of* London, which is as followeth, *viz.*

To the High and Honourable the Knights, Citizens, and Burgeſſes in the Supream Court of Parliament aſſembled.

The Petition of divers Young-men and Apprentices of the City of *London.*

Humbly Sheweth,

THat out of the grounded Confidence we have of the readineſs of this Honourable Houſe to hear and repair the Grievances of all thoſe for whoſe welfare you are choſen and betruſted to take care and provide; and being encouraged unto the ſame by ſeveral good Ordinances and Declarations of your own to that purpoſe.

We whoſe Names are hereunto annexed, although the meaneſt Members of this great Common wealth, yet having by Birthright a right of Subſiſtence here, conceived our ſelves (in our proportion) to have as real an Intereſt in the Kingdom's Enjoyments, as thoſe who in reſpect of Place or other Accidents are above us. As alſo many of us, having under the direction of your Honours grave Counſel and Guidance, freely adventured our Lives for the preſervation of our Native Rights, and the juſt Priviledges of our dear Country againſt the publick Violaters of the ſame. Upon theſe and other ſerious Grounds, we are bold at this time to make our humble Addreſſes to the Honourable and Supream Court of Judicature (the only Refuge, under God, we have to fly to.) And in the firſt place, we cannot but with all Thankfulneſs take notice of the unwearied Pains, together with many great and almoſt intolerable Difficulties by you undergone in the faithful diſcharge of your Truſt, in bringing about the eſtabliſhment of a well-grounded Peace; the perfection of which (in relation to the common Enemy) ſeems now, by the Bleſſing of God, to be brought near to a wiſhed Period: Yet the conſummation of this Work being (as it were) the Crown of all your Labours, we humbly conceive it may deſervedly challenge from you a more than ordinary reſpect, which we doubt not but that your grave Wiſdoms are very ſenſible of; yet (Noble Senators) let it ſeem no preſumption, if we your poor Petitioners, in all Humility, make known the grounds of ſome Fears and Jealouſies to us apparent in that particular. And thoſe are (among other great Grievances) chiefly derived from the preſent ſenſe we have of the too much prevailing of that Party, who have in the late Wars declared themſelves diſaffected to the peace and welfare of the Kingdom, who now ſeem to be in hopes of obtaining that by Policy which they have not been able to do by force; cunningly contriving to aggravate and increaſe Differences between the well-affected Party, and ſtriving to bring an Odium upon all good Men, under the diſtinctions of ſeveral Terms of Obloquy and Diſgrace, by ſuch ſubtle endeavours labouring to avert the edge of Juſtice from themſelves (who come deſervedly under the ſtroke of it) and to turn it upon thoſe who are moſt innocent; ſtrongly endeavouring (and have already effected it in part) to juſtle all honeſt, faithful, well-affected Men out of Places of Truſt, Office, and Authority, and to put in Neuters, Ambodexters, or Perſons apparently diſaffected: By all theſe means together, with the advantage of the Kingdom's preſent unſettledneſs, they ſeem to be in a more than probable expectation of getting the Reins once more into their own hands, to the evident endangering of the Commonwealths ſpeedy Ruin, and to the great Grief of your poor Petitioners, and all others who deſire the Peace and Safety of this diſtracted Kingdom. And further we are bold to make known, (as more particularly relating to the condition of your Petitioners) That whereas we at our being made Free of the City, are enjoined by Oath to maintain the Liberties and Priviledges of

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the ſame City, which notwithſtanding we are in a great meaſure diſabled to do, by the intruſion of divers illegal and undue Cuſtoms and Monopolies (partly about the election and removal of our Magiſtrates) crept in, to the diminution of the ancient Liberties of this famous City, whoſe juſt Immunities, we are confident, your Honours have been, and are very tender of. 22 Caroli I.

Wherefore your Petitioners humbly pray, that this Honourable Houſe taking into conſideration the Premiſſes, would be pleaſed, by your mature Prudence and Care, to endeavour (as much as poſſibly you can) to take away all occaſions of Breaches between the well-affected Party; And that ſuch as have in theſe late Times of Trouble (by adventuring their Lives or otherwiſe) approved themſelves faithful to their Country's common Good, may, without reſpect to Differences, no way prejudicial to the Common-wealth, impartially enjoy their Birthright Priviledges, and be equally capable with others of the freedom to officiate in Places of Truſt, which they are or ſhall be choſen unto. And on the contrary, that all thoſe who have diſfranchiſed themſelves, by traiterouſly adhereing to the Enemy, may be diſabled from bearing Office, or voting in the election of Officers in the Common-wealth. And we further crave, (with ſubmiſſion to your Honours grave Approvements) that in regard of the Kingdom's preſent unſettledneſs, it may not be left deſtitute of a truſty and ſufficient Guard to ſecure it from Inteſtine Broils and Foreign Invaſion. And as for your Petitioners more particular Grievances, as they are Members of this City, we humbly pray, That you would be pleaſed, by your Authority, ſo to provide, that we (as we are or ſhall be capable of it) may be enabled to enjoy the benefit of all ancient Charters and Grants, made and confirmed by ſeveral Acts of Parliament, for the enlargment of our Freedoms and Priviledges; and that whatſoever hath been illegally intruded, may be taken away and made void. And laſtly, As ſome have already deſired, we likewiſe pray, That (if ſo ſmall a thing may be worthy the intention of this Grave and Honourable Aſſembly) you would be pleaſed to appoint ſome time of lawful Recreations for Servants, as your Wiſdoms ſhall think fit.

And your Petitioners, as they have many of them already (according to their Duty) freely adventured their Lives, and whatſoever was dear to them for the common Safety of their Country, ſo they ſtill profeſs their readineſs to give their beſt aſſiſtance to the ſuppreſſing all arbitrary and tyranical Power, and to the upholding the fundamental Rights and Liberties of free-born *Engliſh* Men, and the juſt Priviledges of this Honourable Houſe, againſt all that ſhall ſet themſelves in oppoſition of the ſame.

And be ever bound to pray, &c.

Whatſoever is contained in the Petition, the Subſcribers will be ready to make good by particular Inſtances, when they ſhall be lawfully called to the ſame.

Garriſons.

A Report was this Day made to the Houſe of Commons, concerning the Garriſons to be continued and diſmantled in this Kingdom. And they

Ordered thereupon that *Wallingford*-Caſtle and Works, *Cambridge* new Works about it ſince theſe Wars, *Nantwich* Works, *Lime* Works, *Stockton*-Caſtle, *Sheffield*-Caſtle ſhould be diſmantled.

That as to the ſlighting of *Midleham*, of *Bolton*, and *Henneſlye*-Caſtle, the Houſe adheres to the former Votes.

Earl of Kildare

The Houſe of Lords likewiſe ſent the Petition of the Earl of *Kildare* to the Houſe of Commons; and for their Concurrence to an Order for advancing Monies to his Lordſhip.

Not proper for the Lords to meddle with Money.

The Houſe of Commons ordered, that in reſpect their Lordſhips had paſt an Order for Monies (which the Houſe of Commons conceiving was no ways proper for their Lordſhips to intermeddle with) they ordered, that the ſaid Petition ſhould be rejected: But the next Order was for advancing 200 *l.* to His Lordſhip.

An. 1647.

That the Treaſurers at *Weavers-Hall* ſhould give an Account what Monies have been received and paid by them.

That the Committee at *Weavers-Hall* do not pay any more Money till the 200000 *l.* for the Army be firſt paid.

An Ordinance was read for conſtituting Dr. *Clarke* to be Judge of the Admiralty, which was upon the Queſtion paſt, and ordered to be ſent to the Lords for their Concurrence.

This Day a contrary Party of Apprentices Petition.

To the Honourable the Lords and Commons aſſembled in Parliament. The humble Petition of thoſe well-affected to the Government, both Young-men and Apprentices of the City of London, *ſubſcribed by above Ten Thouſand Hands. Preſented to both Houſes of Parliament, on* Wedneſday *the* 14*th. of* July, 1647. *Together with the Anſwers of both the Honourable Houſes thereunto.*

Six of the Petitioners being at the Door of the Houſe of Peers, were all immediately called up to the Bar, where one of them, in the name of the Subſcribers, ſpake as followeth.

My Lords,

IF it may pleaſe this Honourable Houſe, we are commanded by the Young-Men and Apprentices of the City of London, *to preſent your Honours with this their humble Petition, being in purſuance of their Covenant with God which is upon them, humbly craving your charitable Conſtructions; their Ends being ſingle, for the Glory of God, the peace of the Kingdom, and vindication of the Parliament.*

To the Right Honourable the Lords in the High Court of Parliament aſſembled.

The Humble Petition of divers well-affected Young-Men and Apprentices of the City of London, *&c.*

Humbly Sheweth,

THat your Petitioners have, with the forwardeſt, been ever ready in this common Cauſe of Religion, Laws, and Liberties, to adventure their Lives for the preſervation thereof, which we hoped, after ſo much expence of Blood, and (by God's Providence) ſuch happy ſucceſs of your Armies, would have been ſettled to us and our Poſterities in a laſting Peace; yet, to the Grief of our Hearts, your Petitioners cannot but take notice, how in theſe unhappy Times of Diſtraction, divers diſcontented Perſons labour to ſow new Seeds of Diſcord and Diviſions among us, whereby Incendiaries and Malignants are encouraged, your faithfulleſt Friends diſcountenanced, the Priviledges of Parliament violated, Magiſtracy oppoſed, the Publick Worſhip of God ſlighted, and the Liberties and Properties of the Subject much endangered: All which your Petitioners laying ſadly to Heart, and having more before their Eyes the Glory of God, and the happineſs of His Majeſty's Kingdoms, than their own private Intereſts (which we ſhall readily Sacrifice for the Publick) do in all Humility moſt humbly pray,

1. That according to our ſolemn League and Covenant, His Majeſty's Royal Perſon may be defended; and that His juſt Power and Greatneſs (in the preſervation and defence of the true Religion and Liberties of the Kingdoms) may be eſtabliſhed.

2. That the Rights and Priviledges of Parliament may be vindicated, and the lawful Liberties and Property of the Subjects preſerved and maintained.

3. That the Government of the Church may be ſpeedily ſettled, Conventicles (the Seminaries of Separation) ſuppreſs'd, and a toleration of licentious Liberty effectually declared againſt.

4. That

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4. That all Incendiaries, Malignants, and evil Inſtruments, which hinder the Reformation of Religion, dividing the King from his People, or one of his Kingdoms from another, or make any Faction or Parties among the People (contrary to the ſolemn League and Covenant) may be brought to publick Tryal, and receive condign Puniſhment.

5. That all Obſtructions in the ordinary Courts of Juſtice may be removed, and the inſufferable abuſe of Committees and their Officers conſidered.

6. That the Arrears of your Soldiery of this Kingdom may be ſatisfied, and ſecurity granted for their further Indemnity, for all Acts done by them, *Tempore & loco belli.*

7. That the Army now on foot may be disbanded, or otherwiſe diſpoſed of, that ſo this almoſt exhauſted Kingdom may be freed from thoſe many grievous Taxes and Oppreſſions it now groans under.

8. And whereas there have been, and ſtill are, great Abuſes, and inſufferable Injuries done to your Petitioners by the ſale of Freedoms, and Foreigners intruding into the Suburbs and Places near adjacent to this City, whereby your Petitioners are much diſcouraged in their Service, the Free-Men of this City prejudiced, and the Franchiſes and Liberties thereof infringed. We therefore humbly beſeech this Honourable Aſſembly to reſolve on ſome courſe (as in your Wiſdom ſhall think fit) as well for the expulſion of ſuch as have ſo unduly crept in amongſt us, as for the future prevention of the like inſufferable Injuries that may redound to your Petitioners hereafter.

And your Petitioners being always ready to adventure their Lives and Fortunes for your Defence and Preſervation, ſhall ever pray, &c.

Die Mercurii 14. *Julii* 1647.

The Anſwer of the Houſe of Peers was thus:

Gentlemen,

THE Lords have commanded me to return you hearty Thanks for the good Affections, and pious Care for the publick Peace of the Kingdom, which you have expreſſed by your Petition. Their Lordſhips will take the Particulars thereof into their ſpeedy conſideration.

Jo. Brown, Cler. Parliament.

Die Mercurii, 14. *Julii* 1647.

The Anſwer of the Houſe of Commons to the like Petition.

Reſolved, *&c.*

THat the Anſwer to the Petitioners ſhall be, 'That the Houſe has di-'vers Matters of this Petition under Conſideration, and will take the 'reſt into Conſideration in due time. Sir *Thomas Soame* and Mr. *Vaſſal* are appointed to acquaint the Petitioners with this Anſwer.

H. Elſyng, Cler. Parl. d' Com.

The Houſe of Peers ordered, upon the Petition of the Lord Marquis of *Wincheſter*, that for his Health he may have leave to go ſometimes out of the *Tower*, provided the Lieutenant of the *Tower* take ſuch Security therein as he will anſwer for; and his Lordſhip not to lie out of the *Tower*, but always to come unto his Bed at Night.

Upon ſome Debate concerning the Earl of *Clare*, upon a Difference between his Lordſhip and another, it was ordered, that his Lordſhip have in particular the priviledge of a Peer.

An. 1647.

Members present their own Caſes.

Thurſday, July 15. 1647. The Houſe of Commons debated the Repreſentation of the Members preſented the Day before, upon the Votes, how far they had Correſpondency with the King, and pleading how they were forced by the power of the King's Party upon them to do what they did. The Houſe made an entrance herein, referred the buſineſs to a Committee, for whom the Houſe voted Inſtructions for their proceeding therein.

Members of the Houſe Preſent their Caſe.

Upon reading the Caſes preſented by divers Members, it was ordered, That the Caſe of Sir *Charles Egerton*, be referred to the Committee where Mr. *Corbet* hath the Chair, to confer with and examine him, and all Circumſtances upon the ſaid Caſe. The Houſe declared, That all ſuch Members of this Houſe as have preſented their Caſes, and as ſhall within four Days preſent their Caſes, in reference to the Votes concerning ſuch Members as are not to ſit in the Houſe, ſhall not incur any further Danger or Penalty, other than their being diſabled to ſit this Parliament.

That ſuch of their Members as had liberty to preſent their Caſes in twenty Days time, and do accordingly, ſhall incur no other Danger or Penalty, than being diſabled to ſit during this Parliament.

That the ſtate of the ſeveral Caſes of *John Doyly*, and *Bennet Hoskins*, Eſq; Sir *Philip Percival*, *Tho. Cholmly*, and *Tho. Davis*, Eſq; Members, were all of them read, and referred to the ſame Committee.

A Letter this Day came from His Excellency Sir *Thomas Fairfax*, from *Reading*, with the Petition, Repreſentation, and Declaration of the Soldiers of the *Northern* Aſſociation, and the two Petitions of the *Nottingham-ſhire* Horſe, the one to both Houſes of Parliament, the other to his Excellency Sir *Thomas Fairfax*, which take as follows, *viz.*

His Excellency's Letter is as followeth.

Mr. Speaker,

HAving this Day received theſe enclоſed Papers from the Northern Forces, under Colonel General Poyntz's *Command, with ſome other Papers from Colonel* Thornhagh's *Regiment, (which is already marcht up to* Bucks*) wherein they expreſs their Reſolutions to aſſociate themſelves with this Army, for the more ſpeedy and happy effecting a true, laſting, and well grounded Peace, to the King, Parliament, and Kingdom, and in Order to that, have delayed Obedience to the Command of many of their Officers, who for ſome Reaſons beſt known to themſelves have refuſed to join with them in their juſt Deſires; and have alſo, as formerly, now again Petitioned me to exempt them from further Obedience to any other Command, then what may conduce for the obtaining of the juſt Deſires, and Eſtabliſhment of the Peace of the Kingdom, as in the incloſed Papers is more fully expreſt, and further deſiring to march up ſpeedily to the Army; all which being of ſo great Concernment to the Kingdom, and not well admitting of delay, I thought fit to repreſent unto you with ſpeed their ſeveral Papers and Deſires, that I might receive your Pleaſure concerning the things they deſire, and your Commands for their preſent Diſpoſal, to the end they may be the better kept in Diſcipline and Obedience, and ſuch Diſorders prevented, as by reaſon of their want of Officers, they may be ſubject to run into, and likewiſe to continue them in the North, leaſt by their Motion to the Army, they might draw to a greater concourſe and burthen of Soldiers Quarters upon theſe Parts, than they will be well able to bear, and thereby the Diſaffected in thoſe Parts, (during their abſence) may take that advantage to make Inſurrections or any Diſturbance of the Peace there: For the Prevention whereof and Diſpoſition of the whole, as well in order to the Peace of the Kingdom, as ſpeedy Releif of* Ireland, *I ſhall humbly make bold to Offer my Opinion, that ſince there are many ſeveral diſtinct, and through (theſe late Diſtractions) diſjoyned Forces within this Kingdom, which were ſufficient, together with this Army (being*

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ing United and well managed) both to preſerve the Peace of this Kingdom, and give preſent Releif to Ireland *(without puting the Kingdom to the Charge of raiſing new Forces at preſent for that Service) that the Parliament would ſpeedily put all the Force under one, and the ſame Command, Diſcipline, and equal Eſtabliſhment for future pay and maintainance, which being done, it would give much Encouragement to ſome of the Forces, that may be ſpared out of all the Forces mentioned, from* England *to go more cheerfully into* Ireland, *and if with this there were ſome preſent Courſe taken to provide for Arrears, for ſuch Forces as might be ſpared for* Ireland, *there might in probability be an effectual Relief ſent over into* Ireland *before this Summer be quite ſpent: All which I humbly tender to your Conſideration, and deſire your ſpeedy Anſwer, that no time may be loſt in ſo good and neceſſary a Work, both for the quiet of this Kingdom, and Releif of* Ireland; *wherein none ſhall be more ready to expreſs their forwardneſs, than*

Reading, July 16. 1647.

Your moſt Humble Servant,

Thomas Fairfax

July 15. 1647.

A Declaration and Repreſentation from the Forces of the Northern Aſſociation to his Excellency Sir Thomas Fairfax, *and by him preſented to the Parliament.*

A Declaration of the free Conſent and Coherence of the Soldiers in the Northern Aſſociation, with the Army now under the Command of his Excellency Sir Thomas Fairfax.

WHereas there hath been an Expreſs of the real and Honourable intentions and Grounds off and from the Army manifeſted, (in moſt juſt and honeſt Terms to the Houſes of Parliament and Kingdom) cleering to every indifferent and ſound judgment the cauſe of their Proceedings, for the Kingdom, and in it their own Dues, and interreſted ſatisfactions: We having by Gods Providence, the opportunity to ſhew our Affections no leſs ready and inclinable to maintain and confirm the lawful obtaining of our Right and Juſt Priviledges, by themſelves ſo declared to be; We therefore declare as in Duty bound, for the Mercies we have received from God, and the Faithful Service we owe to the Kingdom, to joyn and aſſociate our ſelves with the Southern Army, under the Command of his Excellency Sir *Thomas Fairfax*, for the ſpeedy and happy effecting a true, laſting, and well grounded Peace, wherein may conſiſt the Preheminence of all Honour and Welfare, both to the King, Parliament, and Kingdom, and that there may be no miſapprehenſions, as uſually publick Reſolutions and Reſolves are lyable unto at the firſt appearing, in the Eyes of Men unacquainted in the Buſineſs, and in the Eyes of thoſe (who being prepoſſeſſed of guilt cunningly oppoſe.) We further declare our ſelves free from any ſecret Intentions, in reference to the promotion of any particular Deſign, or our own particular Intereſts, but are abſolutely raiſed and moved to a neceſſary compliance with that Army, upon thoſe good and infallable Principles, which tendeth to the promotion and protection of Juſtice, and the Liberty of the Subject, as hitherto (by the management of the Affairs of ſo great Importance) have appeared; we ſhall no leſs endeavour to defend with our Lives and Eſtates, the lawful Deſigns of thoſe well affected Soldiers, then we would oppoſe a Forreign Invaſion, or prevent an indirect or unwarrantable War, our Warrant being the ſame for either, Nature or Law, and the Covenant binding thereto.

We ſhall therefore Proſecute the diſcovery of all Perſons Complotted and Combined againſt us, that we may keep our Friends and Nation free from any inforced Injury or prejudice whatſoever; eſpecially we giving to underſtand that we have not any Intentions to ſpill the Blood of any man, or to wrong them in their proper Goods, or intrench upon the Conſcience of any; our cheifeſt care being in this our Declaration and Intention at preſent and for the future, to provide for a Correſpondency with that Army, to live or die, rejoyce or ſuffer with them, as we are mutually engaged; our expecta-

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An. 1647.

tions of Rewards being no other than the ſalving of thoſe Grievances Publiſhed from that Army (with our own) the Soldiers Honour and Livelihood repaired, their Services thankfully requited, and all corrupt Perſons in Authority in Courts of Judicature, and Offices of the Kingdom, expunged; and all ſuch ſeveral good Acts, as ſhall be for the preſent and future concernment of the Kingdom, eſtabliſhed, which as they are moſt Satisfactory to the generality, ſo we deſire not to require an addition of Redreſſes of any particular mans Wants or Sufferings whatſoever, but attend on the general buſineſs in hand, for the accompliſhment of the Army's, our own, and the well affected of the Kingdoms Deſires and juſt Demands, the neceſſity, Juſtice, and Sincerity whereof, we deſire to vindicate as our Lives.

Pontefract *July* 5. 1647.

The Humble Repreſentation of the Soldiers of the Northern Aſſociation, preſented firſt to his Excellency Sir Thomas Fairfax, *and to be by him preſented to the Honourable Houſes of Parliament.*

1. THat the Honourable Houſes of Parliament would be pleaſed to look upon the Repreſentative deſire and grievances of his Excellencies Army, as our deſires and grievances, which we humbly deſire may be fully (not feignedly) granted and redreſſed.

2. That whereas the Parliament was pleaſed to declare againſt their juſt Deſires contained in their Repreſentations, and proceed to disband before redreſs of their Grievances; We humbly deſire that the Rerepreſentations of the aforeſaid Deſires, and Obſtruction of the juſt Satisfactions, their Deſires and Grievances being ours, may be brought forth to Legal Tryal.

3. That the Illegal impriſonment of ſeveral Officers, and the endeavours uſed by ſome to impriſon others for ſpeaking in the behalf of his Excellency's Army, and their juſt dues, may be repaired, and the Occaſioners thereof dealt with according to their Deſerts.

4. That thoſe who endeavoured to render his Excellency's Army odious by Aſperſions, and thereby to deprive them of that Honour which they have ſo dearly bought, and to incenſe the Kingdom and Soldiers againſt them, may be proceeded againſt according to juſtice.

5. That ſuch Proviſion may be made for better ſupply of us for the future; whereby we may be enabled to diſcharge our Quarters, that ſo we may not for neceſſary Food be beholding to the Parliaments Friends, who have ſpent their Eſtates in the Service, whoſe Preſervation is the thing we deſire, and in whoſe happineſs we rejoyce.

To his Excellency Sir Thomas Fairfax *Captain General of all the Forces raiſed for the Parliament of* England, *Dominion of* Wales.

The Humble Deſires of the Soldiers of the Northern Aſſociation.

Sheweth,

THat whereas your Excellency's Petitioners have, for ſome few years paſt, ſerved the Parliament and Kingdom in the late unnatural Wars, and having undergone the ſame with all cheerfulneſs, and readineſs, notwithſtanding the ſad diſcontentment, and the ſad ſufferings which we have undergone, being not at all thereby ſo diſcouraged as to manifeſt any viſible diſtemper, or unwillingneſs unto the aforeſaid Service; our Conditions being at preſent ſo uncertain, that we know not to whom to repair as our Cheif Conductor, and by reaſon of the ſame we are expoſed to an incapacity of being made partakers of the fruits of our unwearied Travails and dangerous Services, our of the experience that we had of your Excellency's care for the Satisfaction and Preſervation both of Soldiers and Subjects, we are emboldened to preſent theſe as follows.

That your Excellency would be pleaſed to make our Satisfaction and Preſervation,

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ſervation, the Object of your Excellency's care, together with the Army at preſent under your Excellency's Command, and reſident with you.

That to the end we may be exempted from further Obedience to any other Command than what may conduce for the obtaining of our juſt Dues and Priviledges, the eſtabliſhing of the Peace of the Kingdom, and with which your Excellency's advice and approbation ſhall concur.

That your Excellency would be pleaſed to recommend this annexed Repreſentation of our Deſires to the Parliament, to prevent miſunderſtanding betwixt the Parliament and the Soldiers of this Kingdom, for the obtaining of their juſt Deſires, and putting an end to theſe preſent Diſtractions.

And your Petitioners ſhall pray, &c.

Robert Bradley. *Nathaniel Croſt.*	Colonel Gen. *Poyntz* Regiment of Horſe.
George Iſſot. *Thomas Jackſon.*	Colonel *Bethel's* Regiment.
Nicholas Baker. *William Bates.*	Colonel *Copeleye's* Regiment.
John Bennington. *William Wren.*	Colonel *Overton's* Regiment.
John Mark. *Edward Feild.*	Colonel *Bright's* Regiment.
Thomas Hunter. *Thomas Wharton.*	Colonel *Ponſonbye's* Regiment.
Robert Share. *Thomas Shacklock.*	Colonel *Collenwood's* Regiment.
Robert Tod. *William Blanchard.*	Colonel *Legard's* Regiment.

Agitated in the behalf of the ſeveral reſpective Regiments.

This to be ſubſcribed by all Officers and Soldiers in the Regiment, &c.

WHereas the Officers and Soldiers of ſeveral Regiments of the Army, under the Command of Sir *Thomas Fairfax*, did on the 5. *June* laſt paſt, at a general Rendevouz near *Newmarket*, enter into an Engagement, to and with each other, and to and with the Parliament and Kingdom, which Engagements having been ſince Printed and Publiſhed, hath now been read unto us: We the Officers and Soldiers under the Command of Colonel *Thornbaghs*, do hereby declare our ſelves to enter into the ſame Engagement with the Army, and to and with each other, and to and with the Parliament and Kingdom; In Teſtimony whereof we ſubſcribe our Hands.

Nottingham July 7. 1647.

George Palmer, Captain.	*Robert Marſhal.*
Rich. Frank, Quartermaſt.	*William Royſton.*
Edw. Kirk, Quartermaſt.	*Robert Alfree.*
Francis Sutley.	*Robert Hide.*
John Pinenden.	*John Brittain.*
John Cook.	*Thomas Pond.*
William Roof.	

To

An. 1647.

To his Excellency Sir Thomas Fairfax *General of the Forces raiſed by Authority of Parliament.*

The Humble Petition of the Nottinghamſhire *Horſe.*

Sheweth,

THat although we the Regiment under the Command of our Honoured Colonel, Colonel *Thornhagh*, never had ſo much our own deſires as to ſerve under the Command of your Excellency in that your Gallant and Faithful Feild Army; yet having received a reſolution went to the juſtice of our Cauſe by your Excellency's Virtual-preſence, in the Commiſſions of our Honoured Commanders, we may without vanity profeſs, that in our Orbs we have moved for the advancing and procuring this Kingdoms Peace and Liberty ſo cheerfully, that we cannot doubt your Excellency's Countenance and *aſſiſtance*, which we humbly Implore in our Humble Addreſſes to this Parliament; profeſſing that ſuch is our reſentment of the Injuries done unto you, as done unto our ſelves, neither will we hope to ſtand, if you fall, nor fear falling if you ſtand, when nothing is controverted, but the ſame for which we firſt engaged, and dare not recede from, (*viz.*) That the Priviledge of Parliament of Free-born Subjects, and Reformation of Charters and Common-Wealths: And as to the better affecting of theſe, the neceſſary and juſt vindication of the too much ſlighted Soldiery, amongſt which your humble Petitioners, who have from the beginning of our Engagements, which bears Date almoſt with the beginning of theſe Wars, ſerved the Parliament almoſt theſe five Years, and have not received for our Service paſt 6 *s. per* Week in Mony nor free Quarter, one Week with another, and that there is at this time due unto this Regiment 40000 *l.* and upwards, that we have not received above one Months pay; and having for our preſent accommodation and maintenance no other ſubſiſtence, then what a ſmall and Harraſſed County of Charity (which is Malignant) will afford in Meat and Drink: A ſlender Requital as we conceive for our loſs of Blood.

Our Humble Requeſt unto your Excellency is, that you will recommend our further Addreſſes unto the conſideration of the Honourable Houſes of Parliament, whereby we may obtain the Wages of our Blood, our Arrears, and ſuch preſent Maintenance, as firſt when we engaged under their Service were promiſed, and yet that we may not hereby be underſtood, to be unconcerned in, or diſengaged from the paſt or future neceſſity of the Army, in the plain and honeſt Proſecutions of their Propoſitions and Deſires in the late Declarations, and that we, according to our proportion of time and Arrears may be ſatisfied, as the Army ſhall be for their proportions.

Subſcribed George Palmer *Captain, and the reſt.*

To the Right Honourable the Lords and Commons Aſſembled in Parliament.

The Humble Petition of the Nottinghamſhire *Horſe* &c.

Humbly ſheweth,

THat whereas we the Regiment under the Command of our Noble, and and ever Honoured Colonel *Francis Thornlagh* (a Member of the Houſe of Commons) have for the ſpace of 5 Years, or thereabouts, with faithfulneſs ſerved the Kingdom, by the Authority and Command of the Parliament, againſt theirs and the Kingdoms Enemies, having been according to our Employment acceſſaries to what ever hath been done, as to the dear purchaſing of Peace and Liberty to the Poor (yet Free-born) People of this Kingdom, and are notwithſtanding in arrears at the leaſt 40000 *l.* for the voluntary (yet conditional) Service, which with the Expence of ſome Blood we have performed, neither have we ever received our Monies, or free Quarter in a Sum (if the total of all was here remiſed, as might, computed, make every Week) worth 6 *s.* unto us, ſince we have born Arms: Our preſent Quality now being ſuch as renders us unable to ſubſiſt, or compel a Livelihood by any regular way of our

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poor exhauſted County; neither are we aſſured of the Wages of our Blood, our juſt, well deſerved and often promiſed Arrears. 22 *Caroli* I.

We therefore humbly pray, for whatſoever ſhall be granted (in relation to the Soldiers and Peoples good) to that Faithful Army of Yours, under the Command of Sir *Thomas Fairfax* (who have been alike faithful to their Truſt) according to the proportions of their Arrears and time, and in the mean while, that ſuch pay, as in the New-Model was allowed to all, (but never paid to us) may be duly depoſited for our preſent Maintenance.

And we ſhall ever pray, &c.

Subſcribed as the former

That the Buſineſs of *Ireland* was ordered to be debated to Morrow the firſt Buſineſs.

A Letter this Day came from Colonel General *Poyntz*, and another from his Wife of the manner of his Impriſonment by his own Soldiers, and ſeizing his Goods, was read. *Colonel General Poyntz ſecured by his Soldiers.*

A Copy of theſe two Letters were ordered to be ſent to the General, and he deſired to give his Directions for his Diſcharge, or ſending up.

Another Letter to be ſent to the Lord Mayor of *York*, to require him to Diſcharge and Reſtore Colonel General *Poyntz*'s Goods to him.

His Majeſties Children did this Day ſet forth from St. *Jameſes* Houſe in *Weſtminſter*, attended with the Earl of *Northumberland*, to wait upon their Father, they intended to dine at *Maidenhead*, and from thence go to *Cauſam* Houſe. *Kings Children.*

Friday, July 16. 1647. The Houſe this day ſpent much time in debate of the Buſineſs of *Ireland*, as was before ordered, and their ſending ſupplies of Mony thither, and paſſed ſeveral Votes and Orders for this purpoſe. *Ireland, orders for Mony.*

Ordered that 10000 *l. in Specie* be ſent to *Dublin* for the Forces in *Lemſter*.

Ordered 8000 *l.* for the Forces in *Connaught* called the Legar Forces, under Sir *Charles Coote*.

Sir *Charles Coote* to Command the Legar Forts, as he Commands the *Connaught* Forces now. Sir *Charles Steward* to have the Cheif Command of the Legar Forces next under Sir *Charles Coote*. Seven thouſand pounds ordered for the reſt of the Forces of *Ulſter*, not of the Legar Forces. *Ireland.*

Colonel *Monke* odered to Command the Forces of *Ulſter* that are not under Sir *Charles Coote*.

That the General be deſired to ſend a Convoy of 200 Horſe with theſe moneys to the Waterſide.

A Propoſition and deſire of the Earl of *Ormand*, to tranſport out of *Ireland*, 5500. Men for *France*, was debated, and denied by the Houſe. *Ormond.*

Some Propoſitions were then alſo read coming from the Army, in relation to the Affairs in *Ireland*, and ordered thereupon that the four Regiments of Foot, that came from the Army, *under pretence* of Engagement for *Ireland*, but remaining ſtill in this Kingdom, *be disbanded.* *That thoſe that left the Army upon pretence for Ireland, be diſbanded.*

That all the New Commiſſion Officers in theſe Regiments ſhall have all their Arrears, one Moiety being deducted for free Quarter, and *disbanded*.

That the Commiſſion Officers, that have not received their three Months pay formerly ordered, ſhall receive it at their disbanding.

The Duke of *York*, and the reſt of the Kings Children, came to *Maidenhead* Yeſterday by 10 in the Morning, the Townſmen, and Country People, underſtanding of their coming, and that the King was to meet them there, Flocked in great numbers to ſee them, and ſtrewed the Ways and Streets with green Boughs, Herbs, and Flowers: *The Kings Children.*

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His Majeſty came to *Maidenhead* about 11 of the Clock to the *Grayhound*, were the Princes were: No ſmall Joy was expreſſed betwixt His Majeſty and Children at their firſt meeting, and after ſome time ſpent in Congratulation, His Majeſty and Children went to Dinner, and dined all of them at one Table; after Dinner His Majeſty returned back, and the Children along with him to *Cauſam*, where they are to remain for two Days, and then return back to *London*.

There were two Troops of Colonel *Whalyes* Horſe only, that Guarded His Majeſty and Company from *Cauſam* and back again.

Treaty with the Army.

Further from *Reading* the Head Quarters of the *Army*, came Letters certifying that the Treaty goes on, and we hope will prove effectual, ſome Grand Propoſitions and Propoſals are drawing up, and were debated by a Council of War this Day, which the Army conceive neceſſary, abſolutely to inſiſt upon ('tis ſaid about twenty five in number) and be ſuddenly ſent to the Parliament.

Colonel Poyntz.

Colonel General *Poyntz* was brought to *Reading* by the Soldiery laſt Night, lay at the *George*, the General and he had ſome diſcourſe, and (tis conceived) he will ſend him up to *London* according to the Votes of the Houſe Yeſterday; the General hath granted a Paſs to his Lady to go from *York* to *London*, and an Order to receive the Goods of her Husband at *York* and *Pontefract*.

Saturday, July 17. The Houſe of Commons this Day further proceeded as in relation to the Buſineſs Yeſterday, for the better carrying on the *Peace of this Kingdom*, and the Reducement of *Ireland*; and after a long Debate, the Houſes came to this Reſolution, and Voted.

Sir Thomas Fairfax *to Command all the Land Forces.*

That all the Land Forces within the Kingdom of *England*, Dominion of *Wales*, Iſles of *Guernſey* and *Jerſey*, under the Pay of the Parliament, ſhall be under the mediate *Command of his Excellency* Sir *Thomas Fairfax*, in order to the Security and Peace of the Kingdom, the Reducing of *Ireland*, and disbanding ſuch as ſhall be thought fit by both Houſes. Ordered further, that all the Forces raiſed, and added to the Four Regiments of Foot that came off from the Army, *that undertook* for the Service of *Ireland*, and remain in this Kingdom, ſhall be forthwith *disbanded*, and repair to their ſeveral Homes, according to the Votes paſſed Yeſterday, and that care be taken of ſeeing this done.

Reformadoes.

The Houſe alſo further Conſidered of the late Order for putting *Reformadoes out of the Line*, and now further ordered, that the Militia of *London* do forthwith look unto, and put the ſaid Ordinance in execution for putting Reformadoes out of the Line.

Treaſurers.

The Treaſurers at *Weavers Hall*, this Day according to order, preſented to the Houſe their Account of the Receipt and Diſburſements of the 200000 *l.* which was ordered to be debated on *Monday* next.

The Commons ordered 1680 *l.* to be paid to the Treaſurers at Wars, out of *Weavers Hall* in part of 200000 *l.* for the Army.

The Houſe then ordered alſo to Reſume the further Debate of the *Garriſons* of this Kingdom on *Monday* next, and ſo adjourned till *Monday*.

The Houſe of Peers this Day paſſed the Ordinance for Dr. *Clerk* to be Judge of the Admiralty, and alſo to the Votes for the 2000 *l.* to Colonel *Maſſy* in part of his Arrears.

The Eleven Members put in their Anſwer.

Munday, 19. This Day (according to former order) the *Eleven Impeached Members*, viz. *Denzil Hollis*, Eſq; Sir *Philip Stapleton*, Sir *William Waller*, Sir *John Maynard*, Kt. Major General *Maſſy*, *John Glynn*, Eſq; Recorder of *London*, *Walter Long*, Eſq; Colonel *Edward Harley*, and *Anthony Nichol*, Eſq; all of them preſent in their own Perſons.

ſons, preſented a Paper to the Houſe of Commons, *in Anſwer* to the particular Charge or Impeachment, in the Name of his Excellency Sir *Thomas Fairfax*, and the Army under his Command againſt them; which anſwer is a Demurrer to the ſaid Charge and Impeachment. Which Paper being delivered in by them was read in the Houſe, and laid aſide for the preſent. 22 *Carli* 1.

The Houſe then Proceeded (as was laſt Week ordered) upon the further Debate of the Garriſons to be ſlighted; and they paſſed Votes for the ſlighting theſe Garriſons following, *viz.* All the *Leiceſterſhire* Garriſons, *Banbury*, *Litchfeild*, *Bridgwater*, *Mulgrave*, *Ruthen*, *Eccleſhall*, *Tutbury*, *Dudley*, *Denby*, *Holt*, *Haverford* Weſt, *Flint*, *Ruchland*, *Monmouth* with others. *Garriſons.*

Ordered further that the Deputy Lieutenants of the ſeveral Counties, that are in the Ordinance for the Aſſeſsments of the 60000 *l. per menſem*, ſhall be appointed to ſee theſe Garriſons ſlighted accordingly.

Ordered that *Briſtol* Caſtle, and great Fort, and *Carnarvan* be continued: That the Keys of theſe Garriſons be delivered to the Mayor of the reſpective Corporations, that the Government thereof may be as formerly.

The Lawyers of the Houſe of Commons that had a deſire to go the Circuits, had this Day leave given them by the Houſe, and their abſence ſhall be excuſed. *Lawyers.*

A Letter was read in the Houſe from Colonel *Birch*, and a Copy of his Letter to his Excellency Sir *Thomas Fairfax*, concerning ſome Diſtempers amongſt the Regiment, who had ſecured his Lieutenant Colonel. *Colonel* Birch's *Regiment.*

The Houſe hereupon ordered, that the General ſhould be deſired to ſend away Colonel *Birch's* Regiment into *Ireland*, according to their former Engagement.

From *Scotland* tis certified, that the General Aſſembly are now Sitting; they have great Deſigns in hand, which a ſhort time will give to underſtand further of; a Grand Declaration is likewiſe drawing up by them concerning the Affairs in *England*, in relation to the King, Parliament, Kingdom, but againſt the Army. Scots *Declaration againſt the Army.*

Of the Affairs of Diſtreſſed *Ireland*, Letters this Day came out of *Munſter*, tell of ſeveral late Prizes got by our Forces from the Rebels, but the Complaint of want of Mony and Bread is very great; one of the Letters mention as followeth.

WE had a Party ſent out the 24. *of* May, *which returned the* 25. *with* 600. *Head of Cattle, Sheep, and Garrons. The* 28. *of* May *we ſent out another Party, which returned the* 31. *with* 2000. *and odd Cows and Oxen, and in Sheep and Garrons ſo many as made them up* 6000. *and odd. The third of* June *we ſent forth another Party, which returned the fifth, with about* 600. *Head of Cattle, beſides* 1500. *Sheep, which the Soldiers killed at their return; They alſo took in a place called* Caſtle Thomas, *while the laſt Party was abroad. We had a hundred Horſe to make good a Paſſage, which being careleſs, the Enemy drew ſome Musketeers through a Wood, between them and home, ſo their Horſe fell upon them in the Front, and the Musketeers in the Rear, and killed betwixt* 30. *and* 40. *of them. All our Mony is gone, and our Proviſion will not laſt paſt ſix or eight Days, ſo that except there come a freſh Supply out of* England, *in the mean time, I know not what the Soldiers will do for Bread, for Wheat is far dearer here than it is in* England, *and in many places not to be bought for Mony, and without Wheat to make Biſket, the Army will never be able to continue in the Feild. It is true the Lord* Inchiquin *doth what lieth in him, but he wanteth Aſſiſtance. We are now forced to leave the Feild, and go to* Garriſon *for want of Wheat and Mony.* *Good ſtore of Cattle, &c. taken from the Rebels in* Ireland. *Yet want of Bread.*

Youghall, July 1. 1647.

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Dublin *Caſtle deſigned to be betrayed.*

From *Dublin* they write of a late Plot by ſome of the Popiſh Calvary to betray *Dublin* Caſtle, but was diſcovered *July* 13 at Night by an Intercepted Letter: Divers mentioned in the Letter to be the Cheif Actors herein, were taken into Cuſtody until the Buſineſs ſhould be fully examined. *Preſton* with all his Forces is marching up towards our Quarters, his expectations were great (its conceived) upon the deſign of *Dublin* Caſtle.

Owen Roe is with a great Force in *Conought*.

The Eleven Members offer freely to withdraw.

Tueſday, *July* 20. This Day Mr. *Green*, a Member of the Houſe of Commons, acquainted the Houſe that he had a Meſſage to deliver the Houſe of the Deſires of the Eleven Impeached Members, which the Houſe voted to receive, and to be read, which was as followeth,

Whereas his Excellency Sir *Thomas Fairfax*, and the Army do declare, that the proceeding upon particular Proofs to make good the Charge, will probably take up much time, and the preſent Affairs of the Kingdom, in relation to thoſe great matters propoſed by them, do (as they ſay) require a ſpeedy Conſideration, and that they propound, that thoſe greater and general Matters of the Kingdom be firſt conſidered of and ſettled: And in regard it is ſuppoſed, that the abſence of theſe Members will make way for the preſent more quiet Proceedings, to ſettle the perplexed Affairs of the Kingdom.

That they are ſo far from making any Interruption or Diſturbance to the proceeding upon, or Settlement of the general Affairs of the Kingdom, that they deſire,

1. That they may have leave to be abſent themſelves from the Houſe for the ſpace of ſix Months, to go about their particular Buſineſs.

2. That they may have liberty, or ſo many of them as ſhall deſire it, to go beyond the Seas, and have paſſes granted during that ſpace time.

3. That by that time the ſaid ſix Months ſhall be expired, they conceive, that the great and weighty Affairs, tending to the Peace and Settlement of the Kingdom, will be over, and the Houſe Judge it ſeaſonable to call them to a Tryal.

The Houſe debated their Deſires, and upon the whole paſſed theſe Votes following.

Votes concerning the Eleven Members.

1. That leave be given to *Denzil Hollis*, Eſq; Sir *Philip Stapleton &c.* for the ſpace of ſix Months, to be abſent from the Houſe, and to go into the Country, to follow their neceſſary occaſions of Buſineſs, as they ſhall think fit.

2. Secondly that *Denzil Hollis*, Sir *Philip Stapleton*, *&c.* or any of them, have leave to go beyoud the Seas, provided, that they return to the Parliament within the ſpace of ſix Months after this preſent, to attend the Houſe upon the Buſineſs concerning the Charge brought into the Houſe (from Sir *Thomas Fairfax* and the Army) againſt them.

That Mr. *Speaker* grant Warrants to *Denzil Hollis*, Eſq; to Sir *Philip Stapleton*, *&c.* or any of them, that ſhall deſire to go beyond the Seas, and to return within ſix Months after this preſent time.

The Houſe was informed that there was a *great Multitude* of Peo-

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Multitudes at the Stairs of the Parliament House.

ple *upon the Stair's* coming up to the Doors of the House, which kept a great Tumult there, to the Disturbance of many of the Members of the House: Ordered that the Guards attending the House should disperse these People, that the Serjeant at Arms do from the House acquaint the *rude Multitude*, that it is the pleasure of the House, that they disperse and remove themselves.

That a 100 *Halberds be brought into the House* for the Service thereof.

That 100 Halberds be brought into the House.

That the *Militia* be desired, that the Captain of the Guards that come down to guard the House, may have Directions constantly to suppress such People, as come for the disturbance of the House.

That Colonel *Web* do come down daily, and see the Guards placed for the best advantage, and Service of the House.

Letters this Day from the Parliament Commissioners in the Army came to the House, and therewith some further Proposals of the General and Counsel of War, which are as followeth.

Further Propositions from the Army.

1. THat there be an effectual Declaration forthwith published to the whole Kingdom, against the inviting, bringing, or coming in of any Foreign Forces under any pretence whatsoever.

2. *That the Army* may be paid up *equal with the Deserters* thereof; according to the late Votes in Parliament: And that the Army may forthwith be put in a constant course of Pay, that they may not be so Burthensome and Oppressive to the Country; for the more speedy performance whereof, we desire that the House of Peers would be pleased to Concur with the Desires of the House of Commons (so often proposed to them) for the reviving the Committee of the Army, that so the Assessments, and great Sums in Arrears, both in the City, and elsewhere, may be by their Endeavours collected for the speedy and necessary supply of the Army: And also that the Treasurers, and the Committee at *Weavers Hall*, may be speedily called to Account, in what manner, and by what Warrants, the two hundred hundred and thirty thousand pounds, lately intrusted in their Hands, have been in so short a time consumed.

3. That the *Militia* of the City of *London*, and the Committee of the same, may consist of such Persons, and speedily *be returned into those Hands*, who *formerly*, during the worst of times, have therein given large Testimonies of their Fidelity to the Parliament and Kingdom, which, beside the real Security it will be to the Parliament and Kingdom, in preventing of Dangers re-preparing towards a new War, would conduce so much to the removing of Jealousies, and give such ground of Confidence to the Army, as that we might the better dispose of it to larger Quarters, in several Parts, for the ease of the Country.

4. According to, and in the pursuance of the particular mentioned under the fifth Head of the Representation of the *Army*, We do earnestly desire, that all Persons Imprisoned in *England*, or Dominion of *Wales*, not for Delinquency in relation to the late War, but for other Misdemeanours, and whose Imprisonment is not by the Regulated Course of Law, but by order from either Houses of Parliament (or of Committees flowing from them,) they be put into a speedy, regular, and equitable way of Tryal; Or (if the necessity of Settling the general Affairs of the Kingdom admit not their present Tryal) then they may have present Liberty, upon reasonable security for their appearance at a certain Day, to answer what shall be Charged against them in a Legal way; and that when they shall be Tryed, if they appear wrongfully, or unduly Imprisoned, they may have Reparation according to their Sufferings.

In particular, We desire this may be done, in behalf of Lieutenant Colonel *John Lilburn*, Mr. *Overton*, and others (in their Condition) Imprisoned in and about *London*.

Reading, July 21. 1647.

Signed, *By the Appointment of his Excellency Sir* Tho. Fairfax, *and the Council of War.*

John Rushworth.

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A Letter to the Lord Mayor, *Court of Aldermen, and Common Council of the City of* London.

My Lord, and Gentlemen,

IN the carrying on of the great Buſineſs of the Kingdom, towards a general and happy Settlement, it has been a fixed Principle with us, to make it our firſt Endeavours with the Parliament, that all things which threaten an Engagement of the Kingdom in a ſecond War, might be removed, before we could have a confident Expectation of a good Iſſue upon a Treaty with their Commiſſioners; which Courſe of ours, although it might have ſome appearance of delay, yet by Men that are zealous of the Kingdoms good, (we hope) no Endeavours will be judged unneceſſary, that may ſecure the Kingdom from the danger of any new Embroilments.

We are now come thus far, that the moſt material Particulars which we have in preparation to propoſe, for the general Settlement of the Affairs of the Kingdom, have been Communicated to the Parliaments Commiſſioners, and, we hope, they are ſatisfied, that they contain in them things tending to a general Good, and to lay a hopeful Foundation for common Right and Freedom to the People of this Land for the future, and for a laſting Peace amongſt us: But before we can ſecurely intend, and without Interruption apply our ſelves unto the Proceedings and Diſpatch of the Treaty thereupon, we have delivered into the Hands of their Commiſſioners, the Paper which conſiſts of three Particulars, in the laſt whereof (which is the Militia *of the* Militia *of the City) you being moſt immediately concerned, to the end you may ſee we would ask nothing which relates to you without giving you a juſt Account thereof, and all the poſſible ſatisfaction therein; we have alſo given a Copy thereof to your Commiſſioners, to be herewith ſent unto you: We ſhould not deſire this, or any thing of that Nature, were we not perſwaded that what we deſire is ſeaſonable, and for yours and the Kingdoms good and quiet; and we ſhould willingly have been ſilent (as in this) but conſidering the juſt Jealouſies which lie againſt ſome Perſons, now authorized in that power amongſt you, and thoſe attempts which have been made by ſome, who would have engaged your City to a new War, had not your Lordſhip and Court of Aldermen, and Common Council, by your Wiſdom prevented it, by getting thoſe Votes, which were paſſed by the* Militia, *made* Null. *We cannot but in a caſe of this Importance, but deal freely with you, in deſiring your Concurrence with ours to the Parliament, that the* Militia *may be changed into thoſe Hands, out of which it was taken; of whoſe Care and Fidelity to the Publick, there hath been ſo long and ſo large Experience, as few Ages have Paralleld; and if the Intereſt we have ſo long ſought for be ſtill the ſame, let it not ſeem ſtrange that we deſire, both of Parliament and City, that thoſe may be in Places of ſuch a Truſt, who have given the beſt Proof of their Courage and Conſtancy in Proſecution of the ſame.*

Having thus far declared our ſelves with all Freedom and Cheerfulneſs to you, as we do not doubt of your good acceptance of our Intention therein; ſo we deſire your forwardneſs into a work ſo much tending to mutual Confidence, and to prevent the Deſigns of any, who would be glad to put Obſtructions in the way to a happy Concluſion, and envy nothing more than the continuance of a right Underſtanding between you and us.

Signed, By the appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

Reading, *July* 19. 1647.

John Ruſhworth

May it pleaſe your Lordſhip,

WE made a diſpatch unto you laſt Night very late by the Poſt, and gave you then a general Account of our Proceedings.

And after the reading of the Propoſals mentioned in that diſpatch, had ſome Papers brought unto us, by Sir Hardreſs Waller, *and other Officers, containing ſome Deſires of the Army, in order to their preſent Security, which Papers before they were tranſcribed, were ſent for back again.*

We

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We expect the return of them this Day, and ſhall thereupon tranſmit them to your Lordſhip with all ſpeed.

In the mean time, it was held fit to deſire the Lord Wharton, *to come up to you for your more perfect knowledge in any thing that may relate to our former Diſpatches; and that nothing may be wanting on our parts, in diſcharge of the Truſt repoſed in us, who are*

Reading, *July* 19. 1647.

Your Lordſhips Humble Servants,

Nottingham.

Since the writing of this Letter, theſe encloſed Papers have been brought unto us by ſome of the Officers of the Army, which we held our Duty immediately to ſend to you.

Wedneſday, July 21. 1647. This Day the Commons read the foregoing Propoſals from the Army, and after ſome time in Debate upon them,

Ordered to take them into further Conſideration, as they lie in order to Morrow Morning.

Ordered, that the abuſes of diſtributing Monies, lately to the Officers and Soldiers, be referred to the Committee, that Auditor *Vvilcox*, and Auditor *Board* do attend the Committee.

Such Officers and Soldiers as came from the Army, to be turned out of the Line by the Militia.

That ſeveral Members of the Houſe, that are of the City, ſhould give an Account what the *Militia* hath done, in turning Officers and Soldiers out of the Lines of Communication.

That a Meſſage be ſent to the Lords, to agree with the Commons, in Disbanding ſuch as came off from the Army.

Exciſe.

An Ordinance paſſed the Houſe this Day, for transferring ſome Part of the Additional Exciſe for the maintenance of the Maimed Soldiers.

Colonel Jones *ill ſucceſs near* Dublin, *by* Preſton's *Forces.*

Letters was read in the Houſe from *Dublin*, giving to underſtand that *Tueſday* the 12. Inſtant, Colonel *Jones* marched with 3000 Horſe and Foot; the next Day he had notice of *Preſton*'s march that Way: Colonel *Jones* endeavoured to make good all paſſes to hinder *Preſton*'s coming to *Dublin*, and about 12 Miles from *Dublin*, had an alarm of the Rebels near approach: They faced each other, but *Preſton* (whoſe Strength was between 7 or 8000 well armed) fell on our Men, and forced us to retreat, purſuing us four Miles, but our Men got into Garriſons, ſome 12 killed, Captain *Meredith* either taken or killed. Our Forces are in a very ſad Condition, and ſo like to be, except ſpeedy Supplies be ſent over.

The Army and Derby-*Houſe to ſend Forces for* Dublin.

The Commons Voted, firſt, That the ſaid Paper be Communicated to the Committee for *Ireland* at *Derby* Houſe; and ſecondly, that they be alſo ſent to his Excellency Sir *Thomas Fairfax*, that ſome Courſe may be conſidered of, for the ſpeedy ſending of Forces over, for the Reducing of that Kingdom.

The Head Quarters to be at Aleſbury. *The King at* Woburn.

By Letters from the Army, We underſtand, that for the better eaſe of the Country, the General is removing his Quarters from *Reading*, towards *Aleſbury*; His Majeſty goes alſo from *Cauſam* to the Earl of *Bedford*'s at *Woburn*, near *Barkhamſtead* in *Hertfordſhire*. Hence 'tis ſaid, the Army will remove further towards *Bedford*. The King is to be at *Woburn* on *Friday*.

Againſt Foreign Forces coming in.

Thurſday, July 22. 1647. This Day the Commons further debated, the firſt Head of the laſt Propoſal from the Army againſt the inviting in of Foreign Forces, and they came to this Reſolution concerning the

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the ſame, and Voted, 'That there is no cauſe for inviting or bringing 'in any Forces into this Kingdom; and that they do declare, that who-'ſoever ſhall bring in, call, or invite any Forreign Forces to come into 'this Kingdom, without the Conſent of both Houſes, are Traitors, and 'ſo ſhall be proceeded againſt, and Suffer as Traitors. Which Votes were alſo ſent up to the Lords for their Concurrence.

The Commons then alſo made ſome entrance upon the ſecond Propoſal concerning the Army's Pay, but came to no Concluſion upon the ſame.

Miniſters Petition for Tyths.

Divers Miniſters preſented a Petition to the Houſe of Peers, acquainting their Lordſhips, that they have in their ſeveral places ſuffered much by the Enemy, and that they cannot receive their Tyths, deſiring that ſome Courſe may be taken for their Relief: Their Petition was read, and they called in and delivered their Caſes at the Bar.

Colonel Fox.

A Petition was alſo read and delivered to the Lords, in the behalf of Colonel *Fox*.

Lord Inchiqueen *for Proviſions.*

Their Lordſhips ſent a Meſſage to the Houſe of Commons for their Concurrence in their particulars for Monies, for one of *Plymouth*, who has done good Service in tranſporting of Proviſion for the uſe of the Kingdom, for 7000 *l.* for ſupply of Lord *Inchiqueen*'s Forces in *Munſter*, who are in great want, and without ſpeedy Supply will be in danger to be loſt.

Well-affected Captains diſplaced by the Militia.

Several Petitions of the Ward of *Walbrook*, *Portſoken*, and others of the City, were this Day preſented to the Houſe and read, their Petitions complaining that the Captains of thoſe Wards, were Godly, Honeſt, Deſerving Men, and that they were *displaced* by the *Militia* of *London*, without any cauſe, except for their good Affections to the Parliament.

The Militia *returned into the Hands of the old* Militia-men.

The Houſe hereupon again debated the ſecond Deſire of the Army, for the *Militia* to return into the *old Commiſſioners* Hands; and the queſtion being put, whether it ſhould be reſtored into the ſame Hands as it was in before the laſt Change; it was paſt in the *Affirmative*, and an Ordinance was ordered to be brought in for this purpoſe to Morrow.

To conſider how to leſſen the charge of the Forces and Garriſons.

As to the third Deſire, the Houſe ordered the Commiſſioners of both Houſes in the Army ſhould acquaint the General, what the ſenſe of the Houſe was, and what they had done concerning the ſame. The Houſe likewiſe further ordered, that the General ſhould be moved by the Commiſſioners of the Army, to conſider how the Charge of the Forces and Garriſons of the Kingdom may be leſſened, and the Service of *Ireland* advanced.

A Petition and Engagement of dangerous Conſequence.

A *Petition* and *Engagement* of a *dangerous Conſequence*, as the Caſe of the Kingdom now ſtands, of many Officers, Citizens, Watermen, and Seamen of *London*, the Copy whereof was brought to the Houſe and was read, and upon debate thereof, ordered a Committee to find out the Authors and Promoters thereof, and had power to ſend for Parties and Witneſſes; and the further Conſideration of this Buſineſs was referred until to Morrow, and a Declaration appointed to be drawn up againſt it.

Dr. Walker *Admiralty.*

The Lords ſent a Meſſage to the Commons with a ſecond Ordinance concerning Dr. *Walker*, Judge of the Admiralty, the former being Defective in ſome things; which Ordinance was read, and upon the Queſtion, paſt the Houſe.

The Heads briefly of the grand Propoſals of the Army.

Somewhat further was intimated this Day from the *Army*, that the grand Propoſals are now almoſt finiſhed, and will be ſhortly ſent up, they are many and large, but theſe are ſaid to be ſome of the Heads of them.

That

That an Expreſs time be ſet longer then which this Parliament may not ſit. *Parliament to end.*

That this Parliament ending, all Parliaments hereafter be Biennial.

That in the Intervals of Parliament there may be a Council of State of twenty one, who are to have the *Militia* by Sea and Land in their power, and to be as a Privy Council for Affairs with Foreign Nations. *Intervals.*

That Juſtice be done on ſome of the grand Incendiaries. *Juſtice.*

That Delinquents pay Compoſitors; yet that there may be ſuch moderation uſed, that ſuch as compound may not be ruined.

That there may be a general and full Act for Oblivion. *Oblivion.*

That all Penal *Statutes for not coming to Church* be taken off, with many others. *Church.*

This Day alſo came Letters from the Parliaments Commiſſioners with the Army, with a further Propoſal from the General and Army, for the diſcharge of ſuch Impriſoned under pretence of *Conventicles* or private Meetings for Religious Duties, the Propoſal is as followeth. *Conventicles.*

Whereas divers Perſons, really affected to the Zeal and Peace of this Kingdom, many whereof have engaged their Eſtates and Lives with the Parliament in the late War, are now Impriſoned, indicted, and otherwiſe grievouſly vexed (and many others liable to the like trouble) by force and pretence of ſeveral Statutes, eſpecially intended againſt thoſe, who repair not to ſome Church or Chappel to hear the Book of Common-Prayer, or againſt thoſe who are Popiſh Recuſants, and by their not going to Church might be diſcovered, and thoſe who ſhould hold any Conventicles of Meetings, to plot and conſpire ſome miſcheif to the State: Now foraſmuch as the Parliament hath declared againſt the Book of Common-Prayer, and that the ſaid Act againſt Conventicles was *not intended* againſt the People meeting only for Religious Exerciſes: We therefore deſire that all Perſons proceeded againſt, upon the Statute of 31. *Eliz.* or upon any other Statute or Acts whatſoever, of the ſame Tenor with the Premiſes, may be forthwith diſcharged from their Impriſonment, Indictments, or any other Moleſtation whatſoever by Vertue of the forementioned Statutes, unleſs ſuch Perſons ſhall be proved Popiſh Recuſants, (and that by ſome other way than by their not coming to Church) or to have, in ſuch Private Meetings as aforeſaid, ſome dangerous deſign, Conſpiracy and Practice againſt the State. *Impriſonment.* *Private Meetings.* *Common-Prayer.* *Statutes.*

And for a more effectual Courſe, we deſire the Parliament would be pleaſed to give Orders accordingly to all the Judges of Aſſizes, for this next Circuit throughout the Kingdom of *England*, and Dominion of *Wales*, (as part of their Inſtructions) to acquit all Perſons Suffering as aforeſaid, by Vertue or under pretence of the ſaid Statutes, otherwiſe then as before excepted, and to give the whole matter ſo in Charge, that all Juſtices of the Peace, and whom elſe the ſame ſhall concern, may not henceforth attempt to bring the like trouble upon any other of the Well-affected People of this Kingdom under the like pretence, as they will anſwer the contrary at their Peril. *Judges to releaſe Perſons ſo Impriſoned.*

Reading, July 21. 1647.

Fryday, July 23.

This Day according to the former Order, an Ordinance was reported to the Houſe for the diſpoſal of the *Militia* of the City into the old Commiſſioners hands; was read the firſt and ſecond time, and committed.

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A Declaration was then Reported to the Houſe upon the dangerous Petition and Engagement (a little before mentioned) on foot in the City; was upon reading likewiſe committed.

And it was ordered that the Committee to whom theſe two laſt were referred, ſhould bring the ſame in with the Amendments into the Houſe in the Afternoon.

Accordingly the Houſe ſat in the Afternoon, and the new Ordinance for the *Militia* with the Amendments was Reported, and after much debate, paſſed, and ſent to the Lords, who concurr'd herein alſo with the Commons, by which Ordinance, that of the 4th. of *May* for the new *Militia* is revoked, and the old *Militia* Men again Inſtated with the ſame Power and Authority to all Intents and Purpoſes, as the *Militia* formerly had, to continue during the Pleaſure of the Parliament.

This Ordinance, being thus paſt both Houſes, it was Ordered, that the *Militia* of the City ſhould meet this Night, and take Order for the ſecurity of the City and the Parliament againſt all Tumults, *&c.* A Report was then likewiſe made to the Houſe of Commons of the Amendments to the Declaration againſt the Petition and Engagement before mentioned, whereof more hereafter.

The Captain of *Weſtminſter* was ordered to draw up his Company in readineſs for the ſafety of the Parliament and City of *Weſtminſter*.

Ordered likewiſe that Colonel *Manning's* Troop of Horſe ſhould attend the Houſe for a Guard.

Die Veneris 23. *Julii*, 1647.

Ordinance about ſettling the Militia of London.

THE Lords and Commons in Parliament Aſſembled, taking into their ſerious Conſiderations, the preſent State and Condition of the Kingdom of *England*, and particulary of the City of *London*: do Ordain and Declare, and be it Ordained and Declared by the Authority of Parliament, That the Lord Lord Mayor and Sheriffs of the City of *London*, for the time being, Sir *John Wolaſton*, *Iſaac Pennington*, *Thomas Atkins*, *John Warner*, *James Bunce*, *John Fowk*, *William Gibbs*, *John Kendrick*, *John Langham*, and *Richard Chambers*, Aldermen, Field Marſhal *Skippon*, *Randal Manwaring*, *Francis Peck*, *Samuel Warner*, *James Ruſſel*, *Nathaniel Wright*, *William Barkley*, *Alexander Normington*, *Stephen Eſtwick*, *Owen Row*, *Richard Turner*, Senior, *William Hobſon*, *Richard Bateman*, *Richard Turner*, Junior, *Robert Titchburn*, *Tempeſt Milner*, *William Antrobus*, *Thomas Player*, Senior, *Samuel Harſnet*, *Francis Allen*, Colonel *Wilſon*, Colonel *Bellamy*, *Alexander Jones*, Citizens; or any nine or more of them, be, and are hereby, conſtituted and appointed a Committee for the *Militia* of the City of *London*, and Liberties thereof, and all other Places within the Lines of Communication, and Weekly Bills of Mortality; and ſhall have power, and are hereby Authorized to aſſemble and call together, all and ſingular Perſon and Perſons, of the ſaid City of *London*, and Liberties thereof, within the Lines of Communication, and Weekly Bills of Mortality, that are meet, and fit for the Wars, and them to train, exerciſe, and put in readineſs, and them, after their abilities and faculties, well and ſufficiently, from time to time, to cauſe to be arrayed and weaponed, and to take the Muſters of them in Places moſt fit for that purpoſe; and that they ſhall have power to lead, conduct, and employ the Perſons aforeſaid, arrayed, and weaponed, for the ſuppreſſion of all Rebellions, Inſurrections, and Invaſions, that may happen within the ſaid City, and Liberties thereof, or within the Lines of Communication, and Weekly Bills of Mortality; and likewiſe ſhall have further Power and Authority, to lead, conduct, and employ the Perſons aforeſaid, arrayed, and weaponed, as well within the ſaid City, as within any other parts of this Realm of *England*, or Dominion of *Wales*, for the ſuppreſſion of all Rebellions, Inſurrections, and Invaſions, that may happen, according as they ſhall from time to time, receive Directions from the Lord

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and Commons Aſſembled in Parliament; and that the ſaid Committee, or any nine or more of them as aforeſaid, ſhall have Power, and are hereby Authorized to Conſtitute and make Colonels, Captains and other Officers, and ſhall have power to remove and diſplace Colonels, Captains, and other Officers, from time to time, as they, or any nine of them, as aforeſaid, ſhall ſee cauſe, and think fit; and that the ſaid Committee, or any nine or more of them as aforeſaid, ſhall have the ſame Powers and Authorities, to all Intents and Purpoſes, and in the ſame manner and form, as any Committee for the *Militia* of the City of *London* had the twentieth Day of *July*, *Anno Dom.* 1647. by any Order or Ordinances of Parliament; and that all and every Perſon and Perſons, who have hereto fore acted or done, or hereafter ſhall act or do, any act or thing whatſoever, by Vertue of this or any former Ordinance, or Ordinances of Parliament, concerning the ſaid *Militia*, ſhall be ſaved harmleſs, and indemnified, for, and concerning the ſame by Authority of Parliament. And it is hereby further Ordained, that no Citizen of the City of *London*, nor any of the Forces of the ſaid City or Liberties thereof, ſhall be drawn forth, or compelled to go out of the ſaid City, or Liberties thereof, for Military Service, without his, or their free Conſent. And it is laſtly Ordained and Declared, by Authority aforeſaid, that the Ordinance of Parliament of the fourth Day of *May*, 1647. for the *Militia* of *London*, ſhall from henceforth ceaſe, and be determined to all Intents and Purpoſes whatſoever. And this preſent Ordinance is to continue during the Pleaſure of both Houſes of Parliament.

22 *Caroli* I.

Saturday, *July* 24. The Houſe this Day received a Meſſage from the Lords, with an Ordinance for enjoyning the payment of *Tyths*, for twelve Months, which admitted a long debate in the Houſe of Commons; at laſt aſſented unto and ordered to be Printed.

A Printed Pamphlet of Mr. *Paul Beſt*, was complained of to the Houſe, and much debate had upon it, and it was ordered to be burned on *Munday*, *Wedneſday*, and *Friday* next, at *Weſtminſter*, the *Exchange*, and other publick Places in the City.

Paul Beſt *his Pamphlet.*

The Printers and Publiſhers thereof are referred to a Committee to be puniſhed.

The Ordinance concerning Stationers and Printing, is ordered to be Reported to the Houſe on *Thurſday* next.

The *Engliſh-Iriſh* in *England*, are ordered to have a Moiety of the Collections the next Faſt-Day.

The Lords returned this Anſwer to the Houſe of Commons, that their Lordſhips had agreed to the *Declaration againſt the Petition and Engagement*, late on Foot in the City, and was ordered to be Printed and Publiſhed by beat of Drum, and ſound of Trumpet, by the Sheriffs of the City.

Declaration againſt the Petition and Engagement.

Letters came this Day from the Army, giving to underſtand that the General had his Head Quarters Yeſterday at *Alesbury*; at which place (upon notice given to the General and Council of War, of a private Engagement and Subſcribing in the City of *London*, and an Agitation at *Skinners-Hall*, *againſt the Army*, of very bad Conſequence, as the Condition of Affairs now ſtands), *A Paper* was drawn up by the General and Council of War, and ſent to the Commiſſioners of Parliament and City, concerning their deep ſenſe of that underhand Deſign, and that they look upon it as the laſt and moſt deſperate Engine to put all in Confuſion.

Private Subſcribing of hands againſt the Army.

Likewiſe another Paper was ſent to the Commiſſioners of the City, deſiring that they would repair up to *London*, to take care to prevent the working of thoſe, or any ſuch like Underminings, of which the City Commiſſioners ſeemed very ſenſible, and expreſſed much Affection to the Army, and that Afternoon took their leave, and departed towards *London*.

The General we underſtood further, the better to take away Jealouſies,

An. 1647.

Against entertaining Cavaliers in the Army.

ſies, and ſome Aſperſions caſt upon the Army, hath Publiſhed a Proclamation againſt entertaining Cavaliers in the Army; all which Papers are as follow.

Alesbury, July 23. 1647.

Several Papers from his Excellency Sir *Thomas Fairfax*, and the Army under his Command, delivered to the Commiſſioners of Parliment and City, at *Alesbury*, *July* 23. 1647. occaſioned by a late Petition and Engagement of ſome Citizens, Commanders, Officers, and Soldiers of the Trained Bands, and Auxiliaries, *&c.* Being the laſt and moſt deſperate Deſign againſt the Kingdom and Army, with a Copy of the Engagement. Alſo a Proclamation from his Excellency Sir *Thomas Fairfax*, againſt the entertaining of Cavaliers in the Army.

My Lords and Gentlemen,

The General's Letter to both Houſes, about the Petition and Solemn Engagement of Citizens, Commanders, Officers, &c.

WE received this enclo ſed Paper the laſt Night, from the Hands of a very Well-affected Citizen; It was delivered him by an Officer of the City Militia, *who being invited to meet ſome Citizens at* Skinners-Hall *upon* Wedneſday *next, with divers others to Sign the ſame, and offering to diſpute againſt the matter of it, to ſhew how dangerous and illegal it was, was ſilenc'd, and told that it was not to be diſputed, but to be Signed and Joyned in; there being divers Citizens and others at the ſame place for that Purpoſe, which when underſtood, he took this Printed Copy away with him.*

By the Contents of which, when you read it, you will eaſily perceive what it tends to, and how deſperate and dangerous it is to the hazard of the whole Kingdom; 'and to fruſtrate all thoſe Endeavours of the Parliament, the Army, and the Kingdom for an happy Settlement; and likewiſe to precipitate all into a New and 'Bloody War: We cannot therefore but acquaint you, that we look on this as a 'Buſineſs ſet on Foot by the Malice of ſome deſperate Minded Men, this being 'their laſt Engine for the putting all into Confuſion, when they could not accompliſh 'their wicked Ends by other Means. To this have all ſecret Liſtings tended, and we wiſh that the needleſs and ſuperfluous Liſting of Auxiliaries, and Connivance of the continuance of Reformadoes about the Cities of London *and* Weſtminſter, *have not had the ſame aim: And by this we hope, it will appear, that our Jealouſies and Fears of ſome ſuch deſperate Deſigns to be hatched in, and about the City, (conſidering the temper of Men there) have not been groundleſs, nor our deſires to draw near the City of* London *with the Army, to diſappoint and break all ſuch Plots, and to free the Parliament from the violence of them, have not been without juſt Cauſe; and we deſire all indifferent Men to judge, whether our withdrawing from the City, in Obedience to the Parliaments Command, was for theirs and the Kingdoms Security, or not: We wonder that divers Men did calumniate that our marching ſo near the City, and put ſo bad Repreſentations upon it, as that it tended to force the Parliament, or to Plunder the City; Seeing our doing ſo, was to break that black Deſign, which now begins to ſhew it ſelf in its Colours. Whereas indeed our Conſciences witneſs with us, that our Aims were Clear, and Honeſt, tending to Reſtore the Parliament unto its juſt Liberty, which was much abated in the Eyes of all the Kingdom; and no doubt by the Authors and Contrivers of this new Covenant and Engagement; ſome whereof have been ſo far from aſſiſting to put the Reformadoes, and other dangerous Perſons out of the Lines, that now they are called to joyn in this Conſpiracy: We intreat you to give the Parliament a full Repreſentation of theſe things, which that you may do, we have ſent you the Papers, together with ſuch Informations, as may give them an opportunity to diſcover the bottom of this Buſineſs: We were marching from* London *(when we received this Information) in Obedience to the Parliament, and to give the City more Content, and to ſtop the Mouths of Slanderers: But if ſuch Deſigns ſo Deſtructive to the Parliament, and the Work in Hand, be ſuffered to go on, or that the Parliament be Interrupted in the Freedom of their Debates and Proceedings, as we hear within theſe few Days they were, by thoſe that are invited to partake in this Confederacy: We beg it of the Parliament, as*

they

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they tender their own ſafety, the Peace of the Kingdom, and preventing of a ſecond War; as they would not have the Kingdom loſe the Fruit and Benefit of all the Blood and Treaſure that has been ſpilt in this Cauſe, that they would not ſuffer their Freedom and Liberty to be Endangered by ſuch Deſigns as theſe, they having an Army, which by the Bleſſing of God, in ſpight of all that theirs and the Kingdoms Enemies can do, will ſtand and fall with them, and be found Faithful and Obedient to them in all things, and as ready to Relieve Ireland, *when the Peace, and Rights of this Kingdom are Settled. We write not this, to deſire the Parliament to invite us to march up to them; we care not how great a Diſtance we are from* London, *if it be the Parliaments pleaſure, and conſiſts with their Security, and the breaking off thoſe Combinations, which are hatcht in the Bowels of the City. We are haſtning our Propoſals which are for the general Settlement, and which (we are confident) will ſatisfie all that love Truth and Peace; but we ſee plainly, we need no more to intend Security, than have cauſe to expect to bring things to a happy Iſſue by Treaty, while ſuch Deſigns are on Foot: We pray you therefore, that the Parliament would ſpeedily, and throughly inquire into, and break theſe Deſigns; wherein as in all things elſe, we ſhall be ready to ſerve them, as they ſhall judge it needful, and when they ſhall Command us.*

Alesbury, *July*, 23. 1647. Signed, By the appointment of his Excellency Sir *Thomas Fairfax*, and his Council of War.

John Ruſhworth, Secr.

Alesbury, July 23. 1647.

BY a Printed Paper come to our Hands (a Copy whereof you receive herewith) you will ſtill find, and clearly and evidently perceive, that ſome evil Spirits, within the City of *London*, maliciouſly Diſaffected to the Peace of this Kingdom, do ſecretly and maliciouſly endeavour to bring about that Miſchief upon the Kingdom, which we have ſo much feared, and by all our ſeveral Addreſſes to you, ſought to prevent, which indeed are of that dangerous conſequence, as we can expect no other iſſue from, than the unavoidable engaging the Kingdom in a ſecond War, if not timely and effectually prevented by your Wiſdom and diligence: We muſt further obſerve unto you, that whatſoever deſign is intended in the aforeſaid Paper, is contrary to the Authority of Parliament, and in direct Oppoſition to the Proceedings of the Army (which the two Houſes have owned as theirs, and approved of their Fidelity, by committing the Forces of the Kingdom of *England*, Dominion of *Wales*, and Iſlands of *Guernſey* and *Jerſey*, under the General's Care and Command) and therefore cannot be effected, but by force of Arms againſt the Parliament, and their Armies, which in probability may involve the whole Kingdom in Blood, but muſt neceſſarily begin within your Bowels, and draw the Seat and State of War upon you, and your City.

Alſo we deſire you would conſider, whether we have not juſt Cauſe to ſuſpect, that an evil Party lurks within the City, ready to Diſtemper it, and the whole Kingdom upon every Occaſion; and whether it be probable ſuch Perſons deſire a happy cloſe between the King and the Parliament (at leaſt ſuch as will be for the Kingdoms good) when they take upon them the boldneſs, to make new Offers to His Majeſty, with ſolemn Engagements to make good the ſame, during the time that the Parliament had given us leave to make Tender of, and Treat with their Commiſſioners, about thoſe things which tend to a general Settlement: And therefore we cannot but deſire, that you would take a ſpedy Courſe timely to ſuppreſs this great Evil, and to prevent all of this Nature for the future, by making ſome of thoſe Examples, who have been Active to carry on this Buſineſs: We have not had time to enquire into Particulars, but ſhall give you only one Inſtance, of a Meeting at *Skinners-Hall* concerning this Buſineſs, where ſome Perſons have been very Active, (the Names of ſome of whom we have given

to

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to your Commiſſioners) and alſo the Names of other Citizens, who will teſtifie their carriage there.

Laſtly, we cannot but deſire you to concur with us in our Deſires to the Parliament; to put the *Militia* into the Hands of thoſe that had it before, without which we can have no aſſurance, that the City will be free from Deſigns of this Nature, nor can we expect to ſee a happy Cloſe.

Signed, *By the Appointment of his Excellency Sir* Tho. Fairfax, *and his Council of War.*

Alesbury, *July* 23. 1647.

John Ruſhworth, *Secr.*

The Printed Paper, or the Copy which the General encloſed in his to the Lords and Commons, is as follows, *viz.*

To the Right Honourable the Lord Mayor, *the Right Worſhipſhipful the Aldermen, and Commons of the City of* London, *in the* Common *or* Guildhall *of the City of* London, *Aſſembled.*

The Humble Petition of the Citizens, Commanders, Officers, and Soldiers, of the Trained Bands, and Auxiliaries, the Young Men, and Apprentices, of the Cities of *London* and *Weſtminſter*, Sea-Commanders, Seamen, and Watermen, together with divers of the Commanders, Officers, and Soldiers, within the Line of Communication, and Pariſhes mentioned in the Weekly-Bill of Mortality.

Sheweth,

THat your Petitioners (taking into ſerious Conſideration, how Religion, His Majeſties Honour and Safety, the Priviledges of Parliament, and Liberties of the Subjects, are at preſent greatly endangered, and like to be deſtroyed, and alſo ſadly weighing with our ſelves, what means might likely prove the moſt effectual, to procure a firm and laſting Peace, without a further Effuſion of Chriſtian *Engliſh* Blood, have therefore entred into a ſolemn Engagement, which is hereunto annexed, and do humbly and earneſtly deſire, that this whole City may joyn together, by all lawful and poſſible means, as one man, in hearty Endeavours, for His Majeſties preſent coming up to his two Houſes of Parliament, with Honour, Safety, and Freedom, (and that without the nearer approach of the Army) there to Confirm ſuch things, as he hath granted in his Meſſage of the 12th. of *May* laſt, in Anſwer to the Propoſitions of both Kingdoms; and that by a Perſonal Treaty with his two Houſes of Parliament, and the Commiſſioners of the Kingdom of *Scotland*, ſuch things as yet are in difference, may be ſpeedily Settled, and a firm, and laſting Peace Eſtabliſhed: All which we deſire may be preſented to both Houſes of Parliament, from this Honourable Aſſembly.

And we ſhall pray, &c.

The ſolemn Engagement mentioned in the aforeſaid Petition follows at large, *viz.*

22 Caroli I.

A Solemn Engagement of the Citizens, Commanders, Officers and Soldiers of the Trainbands and Auxiliaries, the Young Men and Apprentices of the Cities of London *and* Westminster, *Sea-Commanders, Seamen, and Watermen; together with divers others, the Commanders, Officers, and Soldiers, within the Lines of Communication, and Parishes mentioned in the Weekly Bill of Mortality.*

WHereas, We have entred into a Solemn League and Covenant, for Reformation and defence of Religion, the Honour and Happiness of the Kingdom, and the Peace and Safety of the three Kingdoms of *England, Scotland,* and *Ireland*; all which we do eminently perceive not only to be endangered, and like to be destroyed: We do therefore in pursuance of our said Covenant, Oath of Allegiance, Oath of every Freeman of the Cities of *London,* and *Westminster,* and Protestation, solemnly engage our selves, and Vow unto Almighty God, that we will to the utmost of our power, cordially endeavour, that His Majesty may speedily come to his two Houses of Parliament, with Honour, Safety, and Freedom, (and that without the nearer approach of the Army) there to Confirm such things, as he hath granted in his Message of the 12th. of *May* last, in Answer to the Propositions of both Kingdoms, and that by a Personal Treaty with his two Houses of Parliament, and the Commissioners of the Kingdom of *Scotland*, such things, as are yet in Difference, may be speedily settled, and a firm and lasting Peace established; for the effecting hereof, we do protest, and reoblige our selves, as in the presence of God the searcher of all Hearts, with our Lives and Fortunes, to endeavour what in us lies, to Preserve, and Defend His Majesties Royal Person and Authority, the Priviledges of Parliament, and Liberty of the Subject, in their full and constant Freedom the Cities of *London* and *Westminster*, Lines of Communication, and Parishes mentioned in the Weekly-Bill of Mortality; and all others that shall adhere with us to the said Covenant, and Oath of Allegiance, Oath of every Freeman of *London* and *Westminster*, and Protestation: Nor shall we by any means admit, suffer, or endure, any Neutrality in this Common Cause of God, the King, and Kingdom, as we do expect the Blessing of Almighty God, whose Help we crave, and wholly devolve our selves upon, in this our Undertaking.

Upon this, an Order from the General went to the Cheif Officers of his Army, for expunging the Names of all Cavaliers out of their Muster Rolls, which take as follows, (*viz.*)

The Order of the General for expunging Caliers out of the Muster Rolls.

I Do hereby require, the Cheif Officer, present with every Troop and Company, to make strict enquiry, what Cavaliers have been listed and entertained in their Troops and Companies, since the Muster precedeing the last Muster; and that all such Cheif Officers shall presently upon such enquiry as before, put forth their of Troops or Companies, such Cavaliers, as they shall find in their Troops, or Companies from such Musters as before; and before they receive any Pay upon this last Muster, they shall expunge the Names of all such Cavaliers out of the Muster Rolls, as they shall have put out of their Troops or Companies. And if it shall hereafter appear that any Cheif Officer, present with their Troop or Company, shall neglect to put forth, or cashire such Cavaliers in manner as before, or receive any for the time to come, upon Proof thereof made, he shall be liable to a Council of War, and be accordingly proceeded against.

Given under my Hand 21 *of* July 1647. Thomas Fairfax.

The Army and the King removes.

The General this Day removed his Head-Quarters, from *Alesbury*, to *Bedford*. *The King* removed on *Thursday* from *Causam* to the Earl of *Devonshire*'s House at *Latimer*, and from thence to the Earl of *Bedford*'s House near *Wooburn* in *Hertfordshire*.

The King's Children.

The Commons concurr'd with the Lords, in their Votes for removing the King's Children to *Sion House*.

An. 1647.

A Petition was this Day preſented to the Houſe from the Lord Mayor, Aldermen, and Common Council of the City of *London*, in theſe words, which take at large.

The humble Petition of the Lord Mayor, Aldermen, and Commons of the City of London *in Common-Council aſſembled: To the Right Honourable the Lords and Commons aſſembled in High Court of Parliament. Whereunto is annexed two Petitions; the one entituled,* The humble Petition of divers well-affected Citizens of the City of *London*; *the other entituled,* The humble Petition of divers Young Men, Citizens, and Apprentices of this honourable City. *They are as followeth,* (viz.)

To the Honourable the Houſe of Commons aſſembled in High Court of Parliament:

The humble Petition of the Lord Mayor, Aldermen, and Commons of the City of London *in Common-Council aſſembled,*

Humbly ſheweth,

A Petition of the Lord Mayor, &c. to both Houſes, for re-eſtabliſhing the Militia which was eſtabliſhed by an Ordinance of the 4th. of May *laſt.*

THat the Petitioners have, by Ordinance of Parliament dated the 23d. preſent, taken notice of the pleaſure of both Houſes for conſtituting a new Committee for the Militia of the City of *London* and the Liberties thereof, and of all other places within the Lines of Communication and the Weekly Bills of Mortality, and for determining of a former Ordinance for the Militia of this City, *&c.* dated the 4th of *May* laſt; which being taken into ſerious conſideration, the Petitioners could not but call to mind how far both Houſes of Parliament had formerly honoured the City, when they firſt eſtabliſhed the Committee for the Militia, and ſince enlarged or altered the ſame, to take the ſenſe of this Court before they finally reſolved thereupon; which Confidence the Petitioners are not conſcious to themſelves to have forfeited. And next, being ſenſible by two Petitions preſented to this Court, (the Copies whereof are annexed) the one entituled, *The humble Petition of divers well-affected Citizens of the City of* London; and the other entituled, *The humble Petition of divers Young Men, Citizens, and others Apprentices of this City*: what a general Diſtemper this ſudden Change hath already made, and may further raiſe in this City; beſides that hereby the City is for the preſent put out of all regular poſture of Defence.

The Petitioners could not but return unto this honourable Houſe, and humbly and earneſtly pray, That the Militia which was eſtabliſhed by Ordinance of the 4th. of *May* laſt as aforeſaid, and then ordered to continue for one whole year, may be re-eſtabliſhed; that ſo the preſent Fears and Diſtempers in the City may be diſperſed and appeaſed: Whereunto, as the Petitioners humbly conceive this to be the only preſent ſafe means, next under the mighty Hand of God, ſo they will not doubt, but that the ſaid Militia, as hitherto they have done, will in all things perform their Duties according to their Truſt. *And the Petitioners ſhall pray,* &c.

To the Right Honourable the Lord Mayor, the Right Worſhipful the Aldermen, and Commons of the City of *London* in Common-Council aſſembled:

The humble Petition of divers well-affected Citizens of the City of London,

Sheweth,

The Petition of divers well-affected Citizens, &c. to the Lord Mayor, &c. for continuing the Militia.

THat whereas we have lifted up our hands to the High God, for the Reformation and Defence of Religion, His Majeſty's juſt Power and Authority, the Liberties of the Subjects, and the Priviledges of Parliaments; and ſeriouſly conſidering the late Tranſactions to violate all theſe, and to weaken the zeal and forwardneſs of this City, and this Honourable Court in the maintenance of the ſame, by endeavouring to remove the preſent Militia, confirmed by Authority of a Free Parliament for a Year, and made choice of by this Honourable Court.

In

22 *Caroli* I.

In this Streight and Exigency we are bold in all humility, yet with all earneſtneſs, to pray, That this Honourable Court would ſadly weigh the preſent Dangers; and, as in former times it hath been your Honour to be inſtrumental for the Preſervation of this miſerable and dying Kingdom, by the interpoſition of your Courage, and Power, and Wiſdom, in a time of need, ſo you would not ſuffer it to be buried in perpetual Oblivion and Reproach, by yielding up that Militia, which, by the good Providence of God, and the Authority of a Free Parliament, hath been inveſted in your hands, the only viſible means, under God, we have now left for the Security of our Religion, Lives, and Liberties.

A Petition of divers Young Men Citizens of London, *&c. to the L. Mayor, &c. that none be put in places of Truſt but ſuch as ſtand well-affected to the Covenant, &c. And to have the Militia continued.*

To the Right Honourable the Lord Mayor, the Right Worſhipful the Aldermen, and the Worſhipful the Commons in Common-Council aſſembled:

The humble Petition of divers Young Men, Citizens, and others Apprentices of this Honourable City,

Humbly ſheweth,

THat your Petitioners being ſadly affected with the Diſtractions of theſe Times, (wherein divers diſcontented perſons, for the advancement of their own Intereſts, labour to ſow new Seeds of Diviſion and Diſcord among us, whereby Incendiaries are encouraged, the Well-affected diſcountenanced, the Priviledges of Parliament violated, the publick Worſhip of God ſlighted, the Liberties and Properties of the faithful Subjects of this Kingdom, and eſpecially of this City, much endangered, and the long-deſired-for end of theſe Troubles (by His Majeſty's gracious compliance with, and his ſafe and honourable return to his Parliament, (which we hoped was almoſt obtained) now retarded, and for the preſent altogether fruſtrated) have preſented their humble Petition to both Houſes of Parliament, a Copy whereof is hereunto annexed, the which they have thought it their duty likewiſe to tender unto this honourable Court; being confident, that as their deſires in theſe their humble Addreſſes ariſe from no other ends whatſoever but the Glory of God, and the diſcharge of their Conſciences, in purſuance of that Solemn League and Covenant which lies upon them, *To endeavour to their utmoſt, in their places and callings, to uſe all lawful ways and means for the conſervation and maintenance of the Juſt Rights and Priviledges of Parliament* (lately ſo much violated), *the preſervation and defence of his Majeſties Royal Perſon and Authority, together with the true Religion and Liberties of this Kingdom, and for the diſcovery and bringing to condign puniſhment all evil Inſtruments whatſoever, which labour, by fomenting groundleſs Fears and Jealouſies, to divide and make parties amongſt the people, thereby to retard the Settlement of Church and State*; ſo we doubt not but this honourable Court (who have been inſtrumental to invite us, both by Example and Perſwaſion (according to ſeveral Ordinances and Declarations of Parliament) to engage our ſelves to the proſecution of the ſaid Ends, wherein you have already done very much, to your everlaſting Praiſe and Commendation) will ſtill with all Reality, Conſtancy, and undaunted Magnanimity, purſue the ſame, and likewiſe encourage thoſe that ſhall, according to their Duty, labour to promote the ſame ends. Wherefore we humbly pray,

That this honourable Court would be pleaſed to uſe their utmoſt endeavours, by their Addreſſes to the Parliament, and otherwiſe, as they in their Wiſdoms ſhall think fit, for the furthering of your Petitioners deſire contained in the abovementioned Petition.

We cannot likewiſe but with all thankfulneſs take notice of what this honourable City has done for the putting in execution of ſeveral Ordinances of Parliament, That none be put into any place of Truſt, either in Church or Commonwealth, but ſuch as have taken, and now ſtand well affected to the Covenant, to which we are confident that you will ſtill adhere.

And whereas there have been, and ſtill are, ſeveral factious perſons, who ſtile themſelves *The Well-affected of this City*, (though unworthy of that Name) who labour to traduce the Actions thereof, thereby to bring an Odium upon it, and to lay it open to their malice; a freſh inſtance whereof we have in a Petition preſented to the Parliament, pretended to be the Petition of the

An. 1647. Young Men and Apprentices of the City, as likewiſe by a Petition pretended to be preſented to Sir *Thomas Fairfax*, the which we are ready to produce, and refer the conſideration of them to this Honourable Court: And further pray, That as both the Militia of the City hath been legally choſen by this Honourable Court, according to Ordinance of Parliament, and the Common Council legally choſen by the ſeveral Wards (according to the ancient Cuſtom of this City) you would be pleaſed to retain the ſame power, both Civil and Military, in your own Hands. And that you would be pleaſed (for the prevention of many eminent Dangers, to which this City may be liable, by reaſon of theſe diſtractions, to take ſuch effectual and ſpeedy Courſe, for the ſafeguard and defence thereof, that the fear either of any Mutiny within, or any unwarrantable Power from abroad, may in ſome meaſure be taken away, whereby Trade (the main ſupport of this City, now mightily impaired) may be again revived, and the Franchiſes and Liberties of this Honourable City (to which we are the apparent Heirs) maintained and defended.

And as your Petitioners are in Duty bound, both by that relation which they ſtand in to the Honourable City, as by that ſolemn Engagement whereinto they have entred, ſo they will be always ready, to hazard their Lives for the defence thereof, and *not ſuffer themſelves directly or indirectly*, by *any Terrour*, or *perſwaſion*, *to be drawn from their Duty herein.*

The Humble Deſires *of the Citizens, Young Men, and* Apprentices *of the City of* London; *preſented to both the Honourable Houſes of Parliament*, July 26. 1647. *Together with the Ordinances of Parliament.*

July 26.

1. IT is our humble Deſire, in regard Religion, our Lives, Liberties, and Eſtates, are ſo much endangered, and the Peace and Safety of this City and Kingdom, that the pretended Ordinance for the Change of the Militia of the City of *London* may be preſently repealed before the riſing of the Houſes; and that former Ordinance, that was conferred for a Year by a free Parliament, upon the Lord *Mayor*, Aldermen, and Common Council, and by them legally choſen, may be Eſtabliſhed: In which regard we do conceive, that no Juſtice, though it run in never ſo free a Channel, can lawfully diſpoſſeſs them of it, unleſs it ſhall appear to be abuſed contrary to the Truſt repoſed in them.

2. *It* is likewiſe deſired that the City of *London* may immediately be vindicated againſt a late pretended Declaration of both Houſes, which declares all thoſe Traitors, and ſo to forfeit Life and Eſtate, who ſhall, after Publication thereof, act thereupon to get Subſcriptions, and that the ſaid Declaration be now preſently reverſed and cancell'd.

3. That both Houſes of Parliament do preſently make an Order upon ſome ſpecial Penalty, for the calling in of all their Members of either Houſes to diſcharge the Truſt the Kingdom has repoſed in them, eſpecially Eleven late accuſed Members, againſt whom there has been nothing proved of their Accuſation to this Day. That yet again we may come to be ſo happy, as to enjoy the healing influence of a full, and free Parliament in theſe diſtracted Times.

Theſe Particulars we cannot but inſiſt upon, ſince the Diſtractions amongſt us begin to grow ſo high, and the Honour, and Priviledges of Parliament, the Peace and Safety of the City and Kingdom are ſo greatly violated.

Much Time was ſpent in this Buſineſs, and at laſt the Lords and Commons concurred in two Ordinances, as followeth.

Die

Die Lunæ 26. Julii, 1647.

22 *Caroli* I.

Ordinance that the Declaration of the 26. July (*that all ſhall be Traitors*, &c. *who after Publication thereof, get Subſcriptions,*) *be Null, and made void.*

BE it Ordained, by the Lords and Commons in Parliament aſſembled, That the Declaration of the 24th. of this Inſtant *July*, which declares all thoſe Traitors who ſhall after Publication thereof act thereupon to get Subſcriptions, be Null and void, any thing in the ſaid Declaration to the contrary Notwithſtanding.

John Brown, Cler. Parliamentorum.
Hen. Elſing, Cler. Parl. Dom. Com.

Die Lunæ 26. *Julii* 1647.

Ordinance to revoke the ſettling the City Militia this 23. *of* July.

BE it Ordered and Ordained, by the Lords and Commons in Parliament aſſembled, That the Ordinance of the 23d. Inſtant *July*, for the Settling the Militia of the City of *London*, be, and ſhall be, hereby revoked, and made void, to all Intents and Purpoſes; and that the ſaid Ordinance of the 4th. of *May*, 1647. for the ſaid Militia of *London*, be in full Force and Vertue, any thing in the ſaid Ordinance of the 23d. Inſtant, to the contrary notwithſtanding.

John Brown, Cler. Parliament.
Hen. Elſying, Cler. Parl. D. Com.

The Votes in the Houſe of Commons, made *July* 26. 1647. for the Kings Majeſty's coming to *London*; with the ſeveral Votes of both Houſes, for Nulling the Declaration againſt the City Petitioners, for Reeſtabliſhing the New Militia of *London*, notwithſtanding the late Ordinance, with a Copy of the ſaid Declaration.

A Declaration of the Lords and Commons aſſembled in Parliament.

Die Sabbati, 24. *Julii*, 1647.

A Declaration of the Lords and Commons againſt a printed Paper, ſtiled a Petition to the Lord Mayor, &c. *and the ſolemn Engagement.*

THE Lords and Commons having ſeen a printed Paper, Entituled, *A Petition to the Right Honourable the Lord Mayor, the Right Worſhipful the Aldermen, and Commons of the City of* London, *in the* Common *or* Guild-hall, *of the City of* London, *aſſembled, under the Name of divers Citizens, Commanders, Officers, and Soldiers of the Trained-Bands, Auxiliaries, and others, Young Men and Apprentices, Sea-Commanders, Seamen, and Watermen.* Together with a dangerous Engagement of the ſame Perſons, by Oath and Vow, concerning the Kings preſent coming to the Parliament, upon Terms far different from thoſe which both Houſes, after mature Deliberation, have declared to be neceſſary for the good and ſafety of this Kingdom, caſting reflections upon the Proceedings both of the Parliament and Army, and tending to the embroiling the Kingdom in a New War: And the ſaid Lords and Commons, taking notice of great Endeavours uſed by divers Ill-affected Perſons, to procure Subſcriptions thereunto, whereby Well-meaning People may be miſled: Do therefore declare, that whoſoever after Publication or Notice thereof, ſhall Proceed in, or promote or ſet his Name to, or give conſent that his Name be ſet unto, or any way joyn in the ſaid Engagement, ſhall be deemed and adjudged *Guilty of High-Treaſon*, and ſhall forfeit Life and Eſtate, as in Caſes of High-Treaſon accuſtomed.

Hen. Elſyng, Cler. Parl. Dom. Com.

Ordered that this Declaration be publiſhed forthwith, by Order of the Lord Mayor, Sheriffs, and Committee of the Militia, by beat of Drum, and ſound of Trumpet, in the Cities of London, and within the Lines of Communication.

An. 1647.

Die Luna, 26. Julii, 1647.

BE it Ordained, by the Lords and Commons, in Parliament aſſembled, That the Declaration of the 24th. of this Inſtant *July*, which declares all thoſe *Traitors*, and ſo to forfeit Life and Eſtate, who ſhall after publication thereof, act thereupon to get Subſcriptions, be Null and Void, any thing in the ſaid Declaration to the contrary notwithſtanding.

John Brown, Cler. Parl.
Hen. Elſyng. Cler. Parl. Dom. Com.

Die Luna, 26. Julii, 1647.

THE Houſe of Commons having Adjourned until the Morrow, and and Mr. Speaker riſen out of his Chair, and the Members going out, divers *Petitioners moved them to ſit again*, and the Speaker returning to his Chair, and the Members ſitting in their places, the Petitioners deſire them, *to Vote that the Kings Majeſty ſhould come to* London, whereupon it was Reſolved upon the Queſtion,

☞ That His Majeſty ſhould come to *London*.

July, 26, 1647.

RESolved by the Commons in Parliament aſſembled, that they Adjourn their Houſe until *Friday* next.

July, 26. 1647.

RESolved by the Lords in Parliament, that they do Adjourn their Houſe until *Friday* next.

John Brown, Cler. Parl.

Tueſday, July 27. Early this Morning the Houſe of Commons met again, and Adjourned till *Friday* eight of the Clock, ſo did the Lords likewiſe.

Middleton *routeth the* Gourdons.

Letters out of *Scotland* certified, that Major General *Middleton*, hath had a late Encounter with ſome of the *Gourdons* in the Weſt of *Scotland*, Killed forty, and took thirty Priſoners.

A Faſt in Scotland.

The General *Aſſembly* of the Kirk of *Scotland*, Ordered *a Publick Faſt* to be kept throughout that Kingdom, the laſt Lords Day, and ſet forth certain Reaſons for the ſame; ſome whereof, having relation to this Kingdom, I ſhall here infert them.

The Motives thereunto.

1. THat notwithſtanding the Solemn Engagement in the Covenant, our Obligations of great and ſingular Mercies, and our many warnings by Judgments of all ſorts, yet not only do we come far ſhort of that Sobriety, Righteouſneſs, and Holineſs, that becometh the Goſpel of *Jeſus Chriſt*; but Ungodlineſs, and Worldly Luſts, abound every where throughout the Land, unto the Grieving of the Lords Spirit, and Provoking the Eyes of his Glory, and to make him encreaſe his Plagues upon us, and to puniſh us ſeven times more, becauſe we continue to walk contrary unto him.

2. That the Lords Hand is ſtill ſtretched out againſt us, to the Judgment of the Peſtilence, which ſpreads not only in the ſeveral places in the Country, but continueth, and increaſeth in many of the moſt Eminent Cities in the Kingdom.

3. The great Danger that threatens Religion, and the Works of Reformation in theſe Kingdoms, from the Number, Policy, and Power of the Sectaries in *England*, which are like, not only to interrupt the Progreſs of Uniformity, and the Eſtabliſhing of the Ordinances of God in their Beauty and Perfection, but to overturn the Foundation already laid, and all that hath been built thereupon, with the expence of ſo much Blood and Pains.

1. And

22 *Caroli* I.

1. And therefore we are earneſtly to pray the Lord, that the ſolemn League and Covenant may be kept, and inviolably, notwithſtanding all the Purpoſes and Endeavours of open Enemies, and ſecret Underminers to the contrary.

2. We are to intreat the Lord in the behalf of the Kings Majeſty, that he may be reconciled to God, and that he may be now furniſhed with Wiſdom and Counſel from above, that he be not involved in new Snares, to the Endangering of himſelf, and theſe Kingdoms, but that his Heart may incline to ſuch Reſolutions, as will contribute for Settling of Religion and Righteouſneſs.

3. We are alſo to intreat the Lord, in the behalf of *the Parliament* of *England*, of the Synod of Divines, and of all ſuch in the Land, as do *unfeignedly* mind the Work of God, that they may not be diſcouraged, nor ſwerve in the Day of Temptation, but that each of them in their Stations, and according to their Places and Callings, may be furniſhed with Light and Strength from Heaven, for doing of their Duty with Faithfulneſs and Zeal.

4. We are to Supplicate for direction to our Committee of Eſtates, that they may diſcern the Times, and know what is fitting to be done for ſecuring our ſelves, and encouraging our Brethren.

5. We are to pray for a Spirit of Light, and of Love unto our Aſſembly, that they may be inſtrumental in preſerving Truth, and advancing Holineſs amongſt our ſelves, and for carrying on the Work of God amongſt our Neighbours.

Finally, That the Lord would pour out upon all ſorts of Perſons in theſe Kingdoms, *a Spirit of Grace*, and Supplication, that it may repent us of all our Iniquities, that we may be reconciled unto the Lord, that ſo all Tokens of his Wrath may be removed from amongſt us, and he may bleſs us with the ſweet Fruits of Truth and Peace.

Wedneſday, July 28. Maſter *Whitlock*, and Mr. *Jagger* Preached before the Commons in *Margarets, Weſtminſter*.

The Common Council ſate in *Guildhal* in the Morning, and about 10. of the Clock aroſe and kept a Humiliation in *Baſſingſhaw* Church, having formerly deſired Mr. *Aſh*, Mr. *Calamy*, and Mr. *Anthony Burges* to preach; the Sermons were ended *about five at Night*; the Common Council met again, and read a Letter from his Excellency Sir *Thomas Fairfax*, ſetting forth his good affection and tender care of the good of the City, and ſhewing his great diſlike of the Petition, and the means uſed to promote the ſame. At *the ſame time* many *Young Men*, and *others* attended the Common Council to expreſs their readineſs, to ſtand up for the juſt Priviledges of the City, and *defend it againſt all Oppoſers*.

The City keeps a Faſt.

Receiveth a Letter of kindneſs from the General.

Apprentices appear.

A Letter was then drawn up, and a Meſſenger diſpatch to his Excellency, and ſix Commiſſioners appointed to go after the next Morning. In the Letter the Lord Mayor, Aldermen, and Common Council, declare their inclinableneſs to Peace, intreating his Excellency, *that the Army might not advance this way*, nor intermeddle with the Rights and Priviledges of the City, conceiving that their ſtrengthning of the City for the Safety and Preſervation thereof, *was no juſt Cauſe to provoke the Soldier*. And as for the Petition, the Parliament had already declared their ſenſe thereof, and therefore it was needleſs for them to do it, and the rather, for that it had never been formally preſented to them.

The City ſend ſix Commiſſioners to the General, not to advance.

Thurſday

An. 1647.

To kill and slay, who, shall disturb the Parliament.

Thursday, July 29. The Committee of the *Militia* of the City of *London*, and Lines of Communication, this Day *Ordered*, that no Person or Persons whatsoever, shall presume to make any disturbance to the Parliament: And it was further Ordered, that if any Person or Persons should presume to make such disturbance to the Parliament, the Commander in Cheif of the Guard, which shall be there present, shall prosecute their Commissions to Kill and Slay, *&c.*

Intelligence that the Army advances. The Drum beats for Trained-bands, and others to go to the works.

There coming Intelligence that the *Army began to advance*, Orders were given for the Trained-Bands to go to the works, and for the better raising of Auxiliaries to help and defend the City. *A Proclamation* was made by beat of Drum throughout the same, Requiring all, and every the Inhabitants, that are able to bear Arms, and are not Listed of the Trained-bands, to appear the next Morning at several places, and such as had Arms to bring them with them, and such as had none should receive them there.

The Houses met, but no Speakers came.

Friday, July 30th. This Day according to Order of Adjournment, the Members of the House of Commons met in the House, and likewise the Lords, *but the Speakers of neither House appeared*, and after much time spent in expectation, and no Speaker coming, at length the Members of the House of Commons (then present) *proceeded to the Election of a new Speaker*, and Voted Mr. *Pelham*, a Counsellor of *Lincolns Inn* (and a Member of that House) to be *Speaker (pro tempore.)* The Lords also made Choice of the Lord *Gray* to be Speaker of their House (*pro tempore*) in the place of the Earl of *Manchester*.

The Commons chose a new Speaker.

And a new Sergeant.

Mr. *Bickhead* the Serjeant at Arms being absent with the Mace, when the Commons made Choice of their Speaker, they chose Master *Norfolk* to be Serjeant at Arms, and had the City Mace for the present use, shortly after came Mr. *Bickhead* with his Mace, and tendered his Service, but another being put in the Place, he was excluded.

After this the House proceeded to debate on the present great Affairs, touching the City and Kingdom, and Voted,

The Commons Votes as followeth.

The King to come to London.

First, That the King come to *London.*

To raise Forces.

2. That the *Militia* of the City shall have full power to raise such Forces as they shall think fit, for the defence thereof.

To make a Commander in cheif.

That they may make *Choice of a Commander in Cheif*, to be approved of by the House, and such Commander to present other Officers, to be approved of by the Militia.

Major General Massey.

After this the Sheriffs and Common Council (who attended the House all this Morning) returned into the City of *London*, and at a Common Council this Afternoon, taking into Consideration the great *Service done by Major General* Massey, and particularly that at *Gloucester*, they made Choice of him to Command in Cheif: And it was ordered by the Militia, that all *Reformadoes* and other Officers, *&c.* should the next Day at two of the Clock in the Afternoon, *appear to be Listed* in St. *Jameses* Feilds, and that the Forces already Listed for defence of the City be put into a *Regimental way.*

Reformadoes to be reduced into Regiments.

This Day came a Letter from his Excellency Sir *Thomas Fairfax*, to the Lord Mayor, Aldermen, and Common Council of the City of *London*; a Copy whereof I shall here give you.

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The General's Letter to the City, of his advance towards London, *with his Demands.*

My Lords and Gentlemen,

YOU may please to remember, the forward compliance of this Army with your Desires, to remove to this distance, and that upon the assurance you gave them of your Concurrence with their declared Desires, for the Settling of the Liberty and Peace of this Kingdom, (against which you never yet offered us one Exception, or any ground of Dissent) as also of your great Tenderness and Resolution to secure the Parliament, and their Priviledges from any Violence or Attempt; the cheif Reason given us of your late Listing of new Forces, and wherein we did most Acquiesse.

That upon this Confidence, we had disposed of the Army into several parts of the Kingdom, for the ease of the whole, some of them to above a hundred Miles distant; we had given up our selves to the effecting such Proposals as might tend to the Comfortable Settlement of this poor Kingdom, and we were in a hopeful Way for speedy relief for Ireland.

We cannot then but be deeply sensible of the unparralleld Violation acted upon the Parliament upon Monday *last, by a Multitude from your City, because therein the Guards sent from the City, did not only neglect their Duty for the security of the Parliament from such Violence, and the whole City to yield any Relief to the Houses in that extremity, but I am assured from Eye and Ear Witnesses, that divers of the Common Council gave great encouragement to it, which doth not only gainsay your former Professions, but does Violence to those many Obligations, that by your Charter, Protestation, and sundry other ways laid upon you to protect the Parliament: For my part, I cannot but look on you (who are in Authority) as accomptable to the Kingdom for your present Interruptions of that hopeful way of Peace and Settlement things were in for this Nation, and for relieving* Ireland, *occasioned by a late distructive Engagement, especially by the latter Prodigious and Horrid Force done upon the Parliament, tending to dissolve all Government; upon which Score, we, and the whole Kingdom, shall have Cause to put every thing of the like nature, that may happen to the Parliament, to any who are Friends to them and this Army, except by your Wisdom, Care, and Industry, the chief Actors in the Premisses may be Detected, Secured, and given up to the procuring of Justice for the same, and the best Endeavours used to prevent the like for the future. And so I rest.*

Bedford, 29. *July*, 1647.

Your most assured Friend,
to serve you,
Thomas Fairfax.

Kings Children

Saturday, July 31. This Day, after the House was sate, a Message came from the Lords, for the Concurrence of the Commons to their Votes, for removing the *Kings Children into the City of* London, for their better Security; their going to *Sion* being retarded by reason of the present Commotions.

A great appearrance of Reformadoes, &c. to be Listed.

According to the Order Yesterday of the *Militia*, for *Listing Reformadoes*, and Officers, there was *a great appearance* in St. *Jameses* Feilds. Order was given for staying of Horses from going out of the City, many Horses were Listed.

By M. G. Massey, *Sr. W. Waller, and Coll.* Poyntz.

This Day most of the *Eleven Members* sate in the House, and in the Afternoon General *Massey*, Sir *William Waller*, and Colonel General *Poyntz*, were at *Listing the Reformadoes*.

All Shops to be shut up.

Command was given that all Shops should be shut up.

Head Quarters at VVickham.

From the *Army* we are advised that their Quarters after a hard March, was last Night at *Wickham*, and some of his Excellencies entred *Windsor*, the next News is like to be at a Rendevous about *Hounsloe*, and from thence its thought they will draw nearer to *London*.

Block-Houses at Graves-end secured by the Army.

This Evening News came that one of the *Block-Houses* near *Graves-end*, was secured by a Party of the Army.

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A Declaration of the Lord Mayor, Aldermen, and Commons of the City of London *in Common-Council aſſembled.*

A Declaration of the L. Mayor, &c.

HOW, and by what Authority, and under what pretences, His Majeſty was ſurprized at *Holmby*, where he was placed by Conſent of both Kingdoms; and how thence removed, and at laſt brought into the Army, under whoſe Power his Royal Perſon hath ever ſince been kept, and carried to and fro, notwithſtanding that his ſurprizal was diſowned by the General for himſelf and all the Officers about him, and for the Body of the Army, and that ſince both Houſes of Parliament had required his Royal Perſon to be brought to *Richmond*, and there left in the hands of the Commiſſioners of Parliament who attended him at *Holmby*: Contrary to all which, the Army yet deſire, That no place might be propoſed for His Majeſty's reſidence nearer *London* than where they would allow the Quarters of the Army to be. All theſe things we doubt not but by this time are ſo evidently known and apparent to the whole Kingdom, that we ſhould not need to inſiſt upon any particular diſcovery thereof: And we believe that the right-underſtanding and well-affected People of this Kingdom, who remember and ſtill adhere unto the Covenant which they have made with God, have all along obſerved in what manner the Army, in the poſture whereinto they have put themſelves, have ever ſince proceeded with the Parliament and City, and ſought to improve their Intereſts throughout the whole Kingdom. We for our parts ſhall not preſume to deliver any thing of our Senſe upon that which hath been altered, acted, or conſented unto by both Houſes, at the inſtance, interpoſition, or importunity of the Army; but only deſire hereby to give a true Account unto the Kingdom upon what Grounds and Reaſons we have been led to concur with the Army in many of their late deſires to the Parliament (which happily may have been looked upon with ſome admiration), and what our juſt Ends and Aims were in ſending down and continuing a Committee of Aldermen and Citizens to the Army all this time.

The *City-Remonſtrance* and *Petition* of the 26th. of *May*, 1646. Our *Petition* and *Repreſentation* of the 19th. of *December* 1646. and our *Petition* of the 17th. of *March* 1646. In the two laſt of which the Diſbanding of the Army was particularly and eſpecially inſiſted upon, have, we are confident, ſatisfied all moderate and unbyaſs'd men, that we were deſirous upon the firſt opportunity which God gave us, to expreſs our great zeal for the ſettlement of Peace in this Kingdom, by eſtabliſhing of the true Religion, reſtoring His Majeſty to His juſt Rights and Authority, maintaining the Priviledge of Parliament, eaſing the great Charge of the Kingdom, ſecuring the People in their lawful Liberties and Properties, and relieving our diſtreſſed fellow-Subjects and Proteſtants in *Ireland*; And in order hereunto, we have given two ſuch ſignal Teſtimonies, in that we were the principal Leaders and Encouragers to the firſt advancing of 200000 *l.* towards the ſatisfaction of our Brethren of *Scotland*, when they had agreed to return to their Country, and to this latter ſudden raiſing of the like Sum of 200000 *l.* for the Payment of this Army, and the Affairs of *Ireland*, when the Parliament had reſolved upon the diſbanding and diſpoſing of ſo many of the Army as the Kingdom had no further uſe of, as we will hope that all men have been clearly convinced of our ſincere intentions, as much as lay in us, and as far as it was fit for us to appear therein, to improve our utmoſt endeavours to make the way open to a happy compoſure of all things. And when the Army refuſed to diſband, and had poſſeſſed themſelves of the Perſon of the King, thereby juſtifying that bold ſeizure of him, which the General at firſt diſclaimed as aforeſaid; and that the Army was upon their March, or, as they called it, drawing near to *London*; and that this City was in a manner ſummoned by a Letter of the 10th. of *June* laſt, under the Hands of the General, and other prime Officers of the Army, although the Parliament were at that time ſenſible enough of the ſtrange carriage of the Army towards them; and notwithſtanding the Army's lying ſo near to the City did very much hinder and impair the Trade thereof, to the great prejudice of the City in particular, and of the Kingdom in general: yet we, to ſhew how much we were deſirous to avoid the occaſion of a new War, did make bold often to addreſs our ſelves to the Parliament, and joined with

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the Army in many of their demands to the Honourable Houſes, ſent down a Committee of Aldermen and Citizens to reſide in the Army to maintain all good Correſpondence on both ſides; and although the Army a long time hovered near the Parliament and City, we ſtill omitted no endeavours or good Offices on our parts, as far as we could well appear for them, to manifeſt how careful we were to uphold a good underſtanding between the Army and the City. What violation the Priviledges of the Houſe of Commons ſuffered when the Eleven accuſed Members were enforced by the Army to withdraw themſelves, after it was declared upon the Queſtion, *That by the Laws of the Land no Judgment can be given to ſuſpend thoſe Members, or any of them, from ſitting in the Houſe, upon the Papers preſented from the Army, before particulars produced, and proofs made.* And in what manner the Parliament have (to ſatisfie the Army) as it were renounced all foreign Aid, under what pretence ſoever, even ſuch as are under the ſame Covenant with them. Theſe things, we ſay, being tranſacted by the Repreſentative Body of the whole Kingdom, and publick every where, it is evident what great Influence (to ſay no more) the Army hath throughout had upon the Councels of Parliament: And for this City, it hath ſuffered it ſelf to be ſo bounded by the Army in relation to any Preparation for its own Guard and Defence, whil'ſt yet the Army is recruited, and the Soldiery of the whole Kingdom invited to join with them, that the City hath been very much expoſed to hazard and danger thereby. Yet, although this Army be inveſted with the whole Power of the Land-Forces of this Kingdom under Pay of the Parliament, when there is nothing left that can probably make any conſiderable Reſiſtance, and that it was expected they ſhould fall roundly upon thoſe things which concerned the Publick only, as they profeſſed from the beginning; the Army, contrary to that which they declared in their ſaid *Letter* of the 10th. of *June* laſt unto the City, and their *Declaration* or *Repreſentation* of the 14th. of *June*, *That they would not go beyond their deſires at that time expreſſed, and for other particulars would acquieſce in the Wiſdom and Juſtice of the Parliament*: now demand the Militia of the City of *London*, which had been eſtabliſhed by Ordinance of Parliament of the 4th. of *May* laſt, to continue for one whole year in the hands of ſuch as by their Authority were nominated by the Lord Mayor, Aldermen, and Commons in Common-Council aſſembled, and deſire the ſame to be put into other hands; and ſo far prevail with the Parliament, that they immediately conſented thereto, although formerly they never made choice of, enlarged, or changed the Militia at *London*, but they ſtill were pleaſed firſt to communicate the ſame unto the Court of Common Council of this City: But we humbly and thankfully acknowledge, That upon our humble Petition the Parliament preſently recalled the ſame, and re-eſtabliſhed the Militia appointed by Ordinance of the 4th. of *May* laſt as aforeſaid. And therefore being thus awakened by this unexpected and undeſerved interpoſition of the Army in the Militia of the City, which we muſt proteſt to be ſubject to no other cognizance but of the King and Parliament; and having experience how ſtrongly the Army have ever inſiſted upon any thing they once demanded, we cannot but foreſee how far our Proceedings in this buſineſs may be miſrepreſented to the Kingdom, and miſunderſtood by thoſe, who from the great profeſſions of the Army, have, or do expect from them a ſpeedy Settlement of the Peace of the Kingdom, and ſo may be poſſeſſed with ſomething, as if we, by conteſting for our Militia, did ſeek to retard the ſame. And this hath caſt us upon this Declaration, wherein although we have unwillingly been enforced to touch upon ſome proceedings of the Army with the Parliament and this City, which preceded their intermedling with our Militia, yet we could not omit the ſame, that we might make it clear to the Kingdom what little reaſon the Army had, when they had obtained ſo much from the Parliament, and that the City had ſo far complied with them, at laſt to demand the change of that Militia which never moved in any thing without our cognizance, and ſo could never give the Army any juſt cauſe of exception. And we well hope, that all the Kingdom will be fully ſatisfied hereby how extremely deſirous we have been all along to avoid giving any juſt cauſe of offence or provocation, and be convinced that we could not in Honour do leſs than we have done to preſerve our Intereſt in ſo great a part of our Government. For our parts, we call God to witneſs, we have a brotherly ſenſe of the many great preſſures under which the Country muſt needs lie, by quartering the Army; and when the Army ſhall be ready,

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of which they have given the Kingdom ſo great hopes, to offer any thing to the Parliament, for the Settlement of the Publick, none ſhall more readily and zealouſly join with them therein than We, who from the bottom of our hearts abhor the thoughts of a new War. But if this Vindication of our Right in the Militia of the City ſhall be thought by the Army to be a juſt cauſe for them, either to divert them from falling ſpeedily upon that which concerns the publick Peace, or to caſt them upon extraordinary Courſes, let God, the Kingdom, and the whole World, be Judge between Them and Us.

As for that *Petition and Engagement* which hath been lately ſet on foot in the Name of *divers Citizens, Commanders, Officers and Soldiers of the Trained-Bands and Auxiliaries, the Young Men and Apprentices of the Cities of* London *and* Weſtminſter, *Sea Commanders, Seamen, and Watermen, together with divers other Commanders, Officers, and Soldiers within the Line of Communication and Pariſhes mentioned in the Weekly Bills of Mortality*, directed unto the Lord Mayor, Aldermen, and Commons, in the Common or *Guild-Hall* aſſembled. Upon which the Army alſo have by their Letter of the 23d. of *July* laſt, given us their Senſe. To this we have no more to ſay, but that, for as much as we can collect, we find this *Petition and Engagement* to be occaſioned from the Intelligence which came from the Army, that they would demand the alteration of the Militia of this City; at which if our City, and other the Inhabitants, took the Alarm, the Diſtemper which it begot cannot be charged on the Government of the City: Neither can we ſee why the Army ſhould take notice thereof, it being only intended to the Common-Hall, but never preſented, even as the Petition of their Soldiery was to their General, which being taken notice of by the Parliament, as it was in agitation, was then ſo deeply reſented by the Soldiery, that from thence hath followed the putting of the Army into that poſture wherein now it is. Having thus cleared our ſelves from any deſign to embroil our ſelves or the Kingdom in a new War, we find our ſelves obliged (by which alſo we hope the whole World will be the more fully ſatisfied of our deſires for a ſpeedy, firm, and juſt Peace) to declare unto the whole Kingdom the bottom of our hearts and affections, as in relation to His Majeſty, whom we have always, and ſhall ever acknowledge *to be our true and only Sovereign*, although his Royal Perſon have, during theſe Diſtractions, been divided from us. Our *Remonſtrance, Repreſentation*, and *Petition* before-mentioned, and a later *Petition* to both Houſes on the 17th. of *March* laſt, preſently after His Majeſty came to *Holmby*, have, we doubt not, already juſtified us, That in all our Addreſſes to the Parliament, upon all occaſions which did concern the Publick, we have ever remembred to expreſs our earneſt deſires for His Majeſty's honourable and ſpeedy Return to His Houſes of Parliament; and ſince His ſurprizal we have with much longing attended what the Army would propound concerning His Majeſty in particular, according to the greater expectation which they have raiſed in the People, from that which they have hinted in their *Declaration* or *Repreſentation*, and other Papers of their Intentions towards His Majeſty: But upon what great Affairs, conducing to the ends the Army at firſt profeſſed, the time hath been hitherto ſpent, and nothing done, but to get the whole Power of the Kingdom and City into their hand, is ſufficiently apparent.

We therefore do in the preſence of Almighty God profeſs, That there is nothing in the World that we more deſire, than that His Majeſty may be put and left free, in ſuch an honourable Condition and Capacity, as His Perſon may appear to be at Liberty, to receive and treat upon ſuch Propoſitions as ſhall be preſented unto Him from the Parliaments of both His Kingdoms; For our Conſciences tell us, that whilſt His Royal Perſon is environed by an Army, and remains under the power thereof, we cannot expect that either His Majeſty's Princely Heart can give that free aſſent unto thoſe things which ſhall be propounded unto Him as is requiſite; or if He do, cannot hope with good reaſon that we and our Poſterity ſhall without alteration enjoy the ſame; and therefore we are reſolved earneſtly, yet with humility, to apply our ſelves to the Parliament to this purpoſe, and hope that all good Subjects, who are touched with any due ſenſe of that Duty and Allegiance which by the Law of God and Man they owe unto their King, will unanimouſly join with us therein.

We

We cannot omit alſo to declare unto the Kingdom, how we have ſadly obſerved, ſince the Eleven accuſed Members withdrew themſelves, and that the Army hath daily grown upon the Parliament, that a very great and conſiderable number of other Members of the Houſe of Commons have alſo retired themſelves, to the endangering of the Kingdom, which never more needed a full Council: And therefore we ſhall make our ſpeedy Addreſs to the Honourable Houſe of Commons to call in the Members of their Houſe, reſiding in the Army, or retiring to their Dwellings by leave of the Houſe, or otherwiſe: And we ſhall particularly inſiſt upon the re-admiſion of the Eleven Members, lately driven out of the Houſe of Commons by the violent Purſuit of the Army, contrary to the ſenſe of the ſame Houſe, the Law of the Land, and the Priviledges of Parliament; wherein alſo we are confident, all good *Engliſh*-Men, and lovers of their Country, will adhere to them and us.

We ſhould Expreſs our ſelves further to vindicate this City before the Kingdom, from the Aſperſions which may have, throughout theſe Diſtractions, been caſt upon this City to have been the firſt Promoters and Contrivers of this unnatural War, which God for the Sins of this Nation hath brought upon the Kingdom: But that God is our Witneſs, how deſirous we have been at all times, and ſtill are, of a ſafe and well-grounded Peace; and with what Fellow-feeling we have looked upon the Miſeries, which this long War hath brought upon our Fellow-Subjects throughout the Country.

And thus, as we have herein truly and clearly ſtated the matter of difference (if it can be called any) between us and the Army, to wit this alone, that we could not ſubmit the Militia of this City to be altered at the pleaſure of an Army, after it had been ſo Orderly Settled in the Hands of ſuch as were Entruſted therewith for one whole Year, when there was a full and free Parliament; ſo we find it more than time, that the whole Kingdom were poſſeſſed with the true State thereof: And therefore, and to this end, we have been neceſſitated to this Declaration, whereby we are confident, the whole Kingdom will clearly diſcover, upon whom the guilt of a New War (which we do ſtill and will ever Abhor) muſt juſtly lie: So, and no otherwiſe ſhall we expect a Bleſſing from Almighty God, in our juſt Defence (if we muſt be put upon the ſame) then as from the bottom of our Hearts we ſincerely deſire an happy and ſpeedy Peace, by the Settlement of true Religion in this Kingdom, by re-eſtabliſhing His Majeſties juſt Rights and Authority, by upholding all lawful Priviledges of a free Parliament, by maintaining the Fundamental Laws of the Land, by reſtoring and ſecuring the Subject unto, and in his juſt Right and Property, and by freeing this long oppreſſed Kingdom of all Taxes and the enforced Free-Quarters towards the maintenance of an Army, which of a long time hath had no viſible Enemy to encounter: And from this Reſolution by the Bleſſing of God, we ſhall never recede for any Earthly Conſideration or advantage whatſoever.

Mitchel.

Ordinance that Sir Tho. Fairfax *hath no power over the Train-bands.*

IT was this Day Declared, by the Lords and Commons, that the Order of the 19th. of *July*, which puts under the Command of Sir *Thomas Fairfax* all the Land Forces under the pay of the Parliament; doth not extend to give him any power over the Trained-Bands Garriſons.

John Brown, Cler. Parl.
Hen. Elſing, Cler. Parl.

ORdered, by the Lords and Commons in Parliament aſſembled, that this Declaration be printed, and afterwards publiſhed by the Militia of the City of *London* by ſound of Trumpet; and that the Sheriffs of the ſeveral Counties of this Kingdom, and principality of *Wales*, ſhall cauſe the ſame to be publiſhed within their ſeveral Limits accordingly.

Jo. Brown, Cler. Parliamentorum.

An. 1647. Wickham the Head-Quarter.

The Head-Quarters of the Army are this night at *Wickham*, and to morrow appointed at *Colebrook*. The King was this day at *Latimer*.

Several Orders and Votes of both Houſes of Parliament, made on *Friday* and *Saturday* laſt, for the bringing of the King's Majeſty to ſome of His Houſes near *London*, to receive Propoſitions from both Kingdoms for Peace, and for the Safety and Security of the King, Parliament, City, and Kingdom.

Die Veneris, Julii 30. 1647.

Reſolved upon the Queſtion by the Lords in Parliament, That the Right Honourable the Lord *Willoughby* of *Parham* be Speaker of this Houſe *pro tempore*.

Die Veneris, Julii 30. 1647.

1. Reſolved by the Commons aſſembled in Parliament, That Mr. *Pelham*, a Member of this Houſe, be Speaker thereof.

2. That Mr. *Pelham* being preſented by the Commons to the Houſe of Peers, he made a Speech to their Lordſhips, declaring that the Houſe of Commons had made choice of him (calling himſelf *the moſt unworthy of them*) to be their Speaker: Whereupon the Lords voted, That they do approve of the ſaid Choice; and accordingly Mr. *Pelham* was eſtabliſhed; and returning to the Houſe of Commons, the Members cried, *To the Chair*.

Die Veneris, Julii 30. 1647.

Reſolved upon the Queſtion by the Commons in Parliament aſſembled, That *Denzil Hollis*, Eſq; Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Major-General *Maſſey*, *John Glynne*, Eſqs Recorder of *London*, *Walter Long*, Eſq; Colonel *Edward Harley*, and *Anthony Nicoll*, Eſq; be received into this Houſe to ſit and vote as Members thereof.

Die Veneris, Julii 30. 1647.

Papers were delivered by the Sheriffs and others from the Common-Council of the City of *London*, aſſuring the Houſes that care ſhould be taken by the City for ſufficient Guards to ſecure their ſitting in ſafety: Whereupon it was reſolved upon the Queſtion, by the Lords and Commons in Parliament; That Thanks be returned to the City of *London* for their Offers and Engagements to take care for the Parliaments ſitting in ſafety.

Die Veneris, 30 Julii, 1647.

Reſolved upon the Queſtion by the Lords and Commons aſſembled in Parliament, That the Care of the King's Children be committed to the Lord Mayor of the City of *London*.

Die Veneris, Julii 30. 1647.

Reſolved upon the Queſtion by the Lords and Commons in Parliament aſſembled, That the Committee for the Safety of the Kingdom be revived, and Sir *William Waller* and Major-General *Maſſey* to be added to the ſaid Committee, and that they repair to the Militia of *London*, to conſult for the Safety of the King, Parliament, City, and Kingdoms.

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The Names of the said Committee are, (viz.)

Earls of	Pembrook.	Sir Philip Stapleton.
	Rutland.	Sir Henry Vane, Sen.
	Lincoln.	Sir John Maynard.
	Suffolk.	Mr. Swynfen.
	Warwick.	Mr. Long.
	Middlesex.	Mr. Ashhurst.
	Manchester.	Colonel Thompson.
Lords	Stamford.	Sir John Evelyn.
	Willoughby.	Colonel Norton.
	Hunsdon.	Mr. Bunkley.
	Grey.	Sir Giles Gerhard.
	Maynard.	Mr. Nicholas.
Mr. Hollis.		Mr. John Ash.
Mr. Lisle.		Sir Rich. Anslow.
Mr. Allen.		Colonel Ven.
Mr. Recorder.		Sir Jo. Clotworthy
Colonel Rich.		Mr. Whitlock.
Sir H. Mildmay.		

For the Right Honourable the Commissioners of Parliament residing with the Army.

The General's Letter to the Commissioners of Parliament.

My Lords and Gentlemen,

HAving resolved upon this enclosed dispatch to the City of London, *I thought it my part to give you an account of it, and to give you all assurance, that my Heart is deeply affected with the late Carriages towards the Parliament: And however others have neglected their Duty towards them for their security and defence; yet as God shall enable me, it shall be my great Business to improve all that is in my hand for the preserving of them, and in them the interest of the Nation, and what construction soever some formerly may have put upon the Proceedings of this Army: I trust the Lord will by his good hand lead us into such good Actions, as shall witness our end answerable to all our Professions; to wit, for the good of the Kingdom, and therein to be an effectual saving to the great Authority of the Kingdom in the Parliament.*

Bedford, *July* 29. 1647.

Your most assured Friend,

Thomas Fairfax.

Guildhall, London.

Die Veneris, 30. Julii, 1647.

BY the Committee of Lords and Commons for safety, Ordered, that the Reformadoes, Officers, and Soldiers be hereby desired to rendevouz in St. *Jameses* Fields to Morrow in the Afternoon, and there, upon view of their numbers and qualities consider and agree of Field Officers and others, as may put them in a condition fit for present service in a Regimental way: And that this Committee may be certified thereof, and how they are mounted and Armed.

Tho. Partington, Clerk to the said Committee.

Die

An. 1647.

Die Sabbati 31. Julii, 1647.

REſolved upon the Queſtion of the Lords and Commons in Parliament aſſembled, a Letter to be ſent to Sir *Tho. Fairfax*.

Die Sabbati 31. Julii, 1647.

REſolved upon the Queſtion, that the Kings Majeſty come to one of His Houſes nearer *London*, that Propoſitions may be ſent, and an Addreſs made to His Majeſty from both Houſes of Parliament, of *England* and *Scotland* for peace.

Die Sabbati 31. Julii, 1647.

ORdered, by the Lords and Commons in Parliament aſſembled, that the Committee at *Trinity-Houſe* take care to ſecure the *Block Houſes* at *Graves-end*, and the Fort at *Tilbury*.

July, 30. 1647.

A Letter from both Houſes of Parliament to his Excellency Sir *Thomas Fairfax*, concerning the City of *London*, and other things relating to the Peace of the Kingdom.

May it pleaſe your Excellency,

THE *Houſes having this Day received from their Commiſſioners a copy of your Letter to them dated at* Bedford, July 29. *with a copy of another Letter of the ſame Date, writ to the City of* London, *in both which, though there be no accounts at all of the motion of your Army, yet the Houſes underſtand by the Letters from their Commiſſioners in which the Copies were incloſed, and otherwiſe, that you have given Orders for the marching of the Army towards* London *upon pretence of defending the Houſes from the danger of Tumults; upon conſideration whereof the Houſes have commanded us to let you underſtand, that as they cannot but have a deep ſenſe of the undue Liberty which ſome Apprentices of the City of* London, *and others, from whom they might have expected more obedience, have taken to themſelves to violate the juſt Authority, Privileges, and Freedom of Parliament, in which the ſafety of the whole Kingdom is concerned, and ſo they doubt not but the ſenſe of ſo great an Offence will at laſt ſtrike all their Breaſts that have been acceſſary thereunto, with a Deteſtation of any practices of the like nature for the future: And as the Houſes cannot imagine, that the Diſorder Committed by ſome Apprentices, or thoſe that mingled with them, had the allowance of the City of* London, *ſo they have ſince received full ſatisfaction by the ſtrict Orders given out by the Lord Mayor and Common Council of the City, to all Maſters to have care of their Servants, and by their Declaration proclamed in the ſeveral parts of the City, for the preventing and ſuppreſſing of Tumults, that they ſhall ſit with much Freedom and Security from any diſturbance for the Future. And therefore the Houſes ſeeing no cauſe to command that Army, or any part thereof, to march up for their defence, but rather judging (by the Diſtractions raiſed at the News thereof) that the motion of the Army near the City, is like to precipitate the City and Army in a deſperate and Bloody Engagement, not only to the diſturbance of the Parliaments Sitting, but alſo to the deſtruction thereof, and of all Authority, by caſting the whole Kingdom into Confuſion. For prevention thereof, they have ſent you this incloſed Order, requiring you, as you tender the Freedom of Parliament, the ſafety of the City and whole Kingdom, to give exact Obedience thereunto, this being all we have in Command, we reſt.*

Weſtminſter, 30. *July*, 1647.

An

22 *Caroli* I.

An Ordinance of the Lords and Commons in Parliament aſſembled, Enabling the Militia of *London* to puniſh ſuch as do not repair to their Colours, whether they be Horſe or Foot, as alſo giving power to the Militia to Elect and Chooſe a Major General, or any other Officer for the Forces raiſed, or to be raiſed within the City of *London*.

An Ordinance of the Lords and Commons aſſembled in Parliament.

Die Sabbati, 31. July, 1647.

WHereas the Lords and Commons in Parliament aſſembled, by Ordinance dated 10th. *July*, 1647. did give power to the Committee of the Militia of *London* for *raiſing of Horſe*, and amongſt other things did Ordain, that if any perſon or perſons, charged to find Horſes, Riders and Furniture, ſhould refuſe or neglect the ſame, ſhall forfeit and pay 20 *l.* It is hereby Ordained and Declared, that their Committee, and their ſeveral Sub-committees reſpectively, or ſuch as they ſhall appoint, ſhall hereby have power to leavy the ſaid 20 *l.* or any part thereof by diſtreſs and ſale of the Goods of the party Offending, or to Impriſon their perſons till the ſame be paid, as they ſhall think fit. And if any perſon charged to find a Horſe, ſhall ſend in an unſerviceable Houſe, or inſufficient Arms, or ſhall not ſend a ſufficient or ſerviceable perſon to ride the ſaid Horſe, he ſhall forfeit and pay for every ſuch default in any the caſes aforeſaid, ten pounds to be levyed as aforeſaid. And it is further Ordained, that the ſaid Committee of the Militia, and their ſeveral Sub-Committees, ſhall have power, and are hereby authorized, to lay and impoſe upon every foot Soldier, either of the Trained-Bands or Auxiliaries, that ſhall neglect or refuſe to appear at his Colours upon beat of the Drum 40 *s.* as a Fine for every ſuch neglect or refuſal to be levied by Diſtreſs; and in default thereof, that the ſaid Committee, or their Sub-Committees, ſhall have hereby power to commit ſuch perſons ſo refuſing or neglecting his Duty, unto Priſon, there to remain until he ſhall have paid the ſaid Fine of 40 *s* And the ſaid Committee of the Militia, and their Sub-Committees ſhall have hereby power to diſarm any perſon or perſons reſiding, or being within the City of *London*, Lines of Communication, Weekly Bills of Mortality, and Hamlets of the *Tower*, and ſecure their perſons that ſhall reſiſt, oppoſe, obſtruct, diſſwade, diſcourage, or any ways hinder the preſent ſervice of the King and Parliament, in the preſent and future preſervation of the Parliament, City, and places aforeſaid, upon any pretence whatſoever, and ſuch perſons ſhall be, and are hereby accounted and adjudged as differters of the Parliament and City. And the ſaid Committee of the Militia ſhall from time to time hereby have power to Elect and Chooſe a Major General, or any other Officer for the Forces raiſed, and to be raiſed within the City of *London* and places aforeſaid, and them to remove and diſplace at pleaſure, and to chooſe others in his or their ſteads. And it is further Ordained and Declared, that the ſaid Committee for the Militia of the City of *London*, and parts adjacent within the Lines of Communication and Pariſhes mentioned in the Weekly Bills of Mortality, or any of them, whereof three to be Aldermen, are hereby Authorized and Required to put in Execution within the Liberties aforeſaid, and alſo within the Hamlets of the *Tower*, all former Ordinances for the Militia of *London*, that were in force at the time of the paſſing of this Ordinance according to the true meaning of the ſaid Ordinances, for the ſafeguarding of the Parliament, City, and places aforeſaid: And alſo for the ſuppreſſion of all Forces, Rebellions, Inſurrections and Invaſions, that may happen within the ſaid places, or that ſhall approach againſt the ſame. And it is alſo Ordained, that all Fines impoſed by virtue of this Ordinance, ſhall be taken and employed by the ſaid Committee or the Militia, and their Sub-Committees, for the advancement of the Service in ſuch manner as they ſhall reſpectively think fit; and the

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the ſaid Committee of the Militia, and their Sub-Committees, for, and touching any Act or Acts done by them, or which hereafter ſhall be done in Execution of this Ordinance, or any other Ordinance heretofore made touching the Militia, ſhall be by the Authority of Parliament ſaved Harmleſs and Indempnified. And laſtly, That no priviledged place, or perſon within the Limits aforeſaid, ſhall be exempted from the power of this Ordinance, except the Peers of this Realm, and Members of the Houſe of Commons, and aſſiſtants of the Houſe of Peers, and Officers and Attendants of both Houſes reſpectively, who ſhall be exempted from this Ordinance, and all things therein contained, Provided that this Ordinance *continue for a Month and no longer.*

John Brown, Cler. Parl.
Hen. Elſing, Cler. Parl. Dom. Com.

CHAP. XVII.

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TO THE

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